

Growth Management Council Hearing

CITY OF BAKERSFIELD

Wednesday, July 24, 1991 - 9:00 am to 3:30 pm

AGENDA

- I. Introduction of Growth Management Council Panel Members**
- II. Words from the Chair**
- III. Scheduled speakers (see panels below)**
- IV. Non-scheduled speakers**

Panel 1

Senator Don Rogers - State Senate, 16th District

The Honorable Mel McLaughlin - Mayor, City of Wasco
Kern County Council of Governments

The Honorable Mark Salvaggio - Councilmember, City of Bakersfield

Joel Heinrichs - Kern County, Policy Analysis

Chris Grimes - City of Tehachapi, Planning Department

Jack Hardisty - City of Bakersfield, Planning Department

Cindie Moore - Kern County Board of Trade

Panel 2

Mary Jane Wilson - WZI, Inc.

Milo Hall - Water Association of Kern County

Stu Pyle (for Milo Hall) - Kern County Farm Bureau

Tim Thomson - Kern County Farm Bureau

Dave Dmohowski - Tejon Ranch Company

Ron Wermuth - Kern Valley Indian Community

Don Murfin - Project Clean Air

Mary Griffin - Kern County Audubon Society

Stormy Williams - Desert Citizens Against Pollution/Southern Kern Residents Against Pollution

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Panel 3

Marvin Dean - Kern County Minority Contractors
Ralph Anthony - A. Philip Randolph Community Development Corporation
Irma Carson - Bill Honig's Ethics Advisory Council
Jeff Williams - Building Industry Association of Kern County
Judy Salamacha - Castle and Cooke Development Corporation
Michael Dhanens (for David Milazzo) - American Institute of Architects
Fred Porter - California Council of Civil Engineers

BREAK

Panel 4

Laura Dennison - League of Women Voters of Bakersfield
Dr. Kenneth Garland - Bakersfield City Schools
Dr. Kelly Blanton - Kern County School District
Rodney Fernandez - Cabrillo Economic Development Corporation

Panel 5

Ray Watson - Bakersfield Chamber of Commerce
Karen Wass - Bakersfield Association of Relators
Conni Brunni for Jim Marino - Bakersfield Councilmember (Ward #4)
Pete Parra - Employers Training Resource

Panel 6

Lucille Wake - no affiliation
Roy Weygand - Kern County Taxpayers Association
Norm Baldinger - Chevron Lan Development Corporation
Mike Ammann - Kern Economic Development Corporation
Georgette Theotig - Kaweah Chapter of the Sierra Club
John Means - Kern County Valley Action Network
Dennis Fox - public speaker, no affiliation

Rick Hewitt - Nature Conservancy

Additional Written Comments Submitted for Record

Rob L. Wise - Operating Engineers Local Union No. 3

The Honorable Bill Thomas - 20th Congressional District, California

Janice Braly/Mari C. Locke Martin/Stacie Hanson - California Women for Agriculture

GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH MANAGEMENT
Bakersfield City Council Chambers, July 24, 1991

The seventh of 13 statewide hearings by Governor Pete Wilson's Growth Management Council was held on July 24, 1991, in the Bakersfield City Council Chambers. Martin Dyer, Chief Deputy Director of the Governor's Office of Planning and Research (GOPR) chaired the hearing. Hearing testimony on behalf of the Council were Carol Whiteside, Assistant Secretary, Resources Agency; Gregory Cox, Deputy Director, GOPR; John Amodio, Deputy Director, GOPR; Robert Cervantes, Chief Planner, GOPR; Steve Arthur, Senior Research Consultant, GOPR; Tom Cook, Deputy Director, Department of Housing and Community Development; Jennifer Nelson, Special Assistant to the Secretary, Health and Welfare Agency. Senator Don Rogers also heard testimony during the morning session.

The hearing began at 9:20 am with opening remarks by Mr. Dyer describing the purpose of the hearings and the Growth Management Council. He then introduced each of the panel members.

Senator Rogers made opening remarks. He praised the Council for having the hearings to receive local input and then stated his opposition to another layer of state government to decide local land use decisions.

Mayor Whiteside then responded to an article in the July 24 *Bakersfield Californian* in which environmental groups claimed they were shut out of the hearings. Whiteside described staff efforts to ensure the participation of a broad spectrum of witnesses and encourage those not on the agenda to sign up so that they could be heard at the end of the day. She also urged the crowd to contact anyone that might have felt they were not welcome to speak and urge them to come to the Council Chambers.

Thirty-eight speakers presented testimony at this hearing. In most instances, written copies of the prepared testimony were provided to the Council. Copies of this testimony are attached (individuals who did not submit written testimony are marked with an asterisk [*]). The following brief summaries, arranged by general topic, set forth the major points of the testimony.

THE HISTORY OF THE UNITED STATES
FROM 1789 TO 1861

The history of the United States from 1789 to 1861 is a story of growth and change. It begins with the signing of the Declaration of Independence in 1776, which marked the birth of a new nation. The years 1789 to 1861 were a period of rapid expansion and development. The United States grew from a small collection of colonies to a vast empire stretching from the Atlantic to the Pacific. This growth was driven by a combination of factors, including the discovery of gold in California, the opening of new territories, and the migration of people from the East to the West. The period also saw the rise of the Industrial Revolution, which transformed the economy and society. The United States emerged as a major power in the world, with a strong military and a growing influence in international affairs. The years 1789 to 1861 were a time of great achievement and progress, but they also saw the beginning of the struggle for civil rights and the fight against slavery.

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City and County Government

The Honorable Mel McLaughlin, Mayor, City of Wasco/representing Kern County Council of Governments.

Mayor McLaughlin stated that any regional planning organization should not result in a new layer of government. Existing structures would allow the creation of a regional planning organization which should be made up of local elected officials. Statewide planning needs better definition and consistency among state, regional, and local plans is necessary. In addition, many of the functions of local governments that the state has taken over should be returned to the local level. All land use decisions should remain in the control of the local governments. Mayor McLaughlin also stated that the environmental review process needs to be streamlined.

The Honorable Mark Salvaggio, Councilmember, City of Bakersfield
Councilmember Salvaggio commended the Governor for addressing the problems associated with rapid growth in the State and stated that the state's role should be one of helping local government manage development in a manner that causes the least harm to the environment. He acknowledged that growth is natural and unstoppable, but that it can be managed in ways which protect the quality of life.

***The Honorable Connie Brunni**, Councilmember, City of Bakersfield
Councilmember Brunni said that government should take the approach that growth will occur, then take positive steps to appropriately manage that growth. Local governments should make planning decisions. When problems cross local boundaries, cooperative governance is appropriate. For example the City of Bakersfield and the County of Kern have worked closely in the past on planning issues. The proper role for the State is to provide opportunities for local solutions and the State should be consistent in its regulations. There should not be a new layer of government imposed by the State, but local governments should be allowed to create them if they wish.

Joel Heinrichs, Director, Policy Analysis & Intergovernmental Relations, County of Kern

Mr. Heinrichs testified on behalf of the Kern County Board of Supervisors. He stated that there was no single solution to the growth problems facing the state. Instead, each region has different desires and capacities to grow and should be allowed to tailor a growth plan that reflects these different circumstances. The State should facilitate - not legislate - responsible growth management at the local level, and local regions must accept responsibility for growth management decisions.

The University of Chicago is a leading institution of higher learning in the United States. It is a place where the best minds from all over the world come to study and to teach. The university is known for its high standards of academic excellence and for its commitment to the advancement of knowledge in all fields of inquiry. It is a place where the past meets the future, and where the pursuit of truth is the highest goal.

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Chris Grimes, Planning Department, City of Tehachapi

Recent trends in California and nationally are creating conflicting development, and government regulation of development. New laws conflict with existing laws, or may impose a difficult financial burden on local government without providing funds to pay for new mandates. Local governments find it difficult to provide the services they would like and resort to fees. Counties and cities compete against each other for development to receive tax revenues, and school districts have been victorious in court in getting more money out of developers which only takes money away from other infrastructure needs. Water policies in California also conflict. While the Regional Water Quality Control Board has imposed onerous requirements for water reclamation and discharge which encourages waste, the Department of Conservation is encouraging cities to conserve and reclaim water. The State must be consistent in developing new regulatory mandates and distributing funds. However, another level of government or another state agency is not necessarily the answer to the State growth management dilemma.

Jack Hardisty, Planning Director, City of Bakersfield

Bakersfield has grown rapidly in the last decade and it is expected to continue to grow in the 1990's. While there are increasing calls for state action, one simple growth management plan cannot be imposed on the entire state. Much of the response to growth must be determined at the local level. Local governments working cooperatively can solve many of the problems associated with growth. The adoption of the same general plan by both the City of Bakersfield and the County of Kern illustrates how this can be done. The State should provide leadership, not new layers of government. The local sense of stewardship can be nurtured by the coordination and leadership state agencies should provide.

Environmental Speakers

Mary Jane Wilson, President, WZI, Inc.

The abundance of resources in California has caused its residents to develop an environmentally abusive mind-set since the beginning of the century. However, in the last two decades, these resources are becoming strained. The quality of life is dependent on a clean environment and the ability to enjoy the beauties of nature, but these cannot be separated from the ability to earn a living. It is vital that regulators, in their capacity as growth managers, not become so focused on a single quality of life issue that other important factors are repressed. Pollution prevention and environmental protection must go hand in hand with economic growth. Ms. Wilson recommended three points for consideration: 1) Compromise on every issue, 2) local control must take priority, and 3) educate and motivate the public to protect the environment rather than continuing to regulate.

***Stuart Pyle, Water Association of Kern County**

One of the major issues that needs to be addressed by a growth management plan is the protection of groundwater basins. Groundwater needs to be treated like a reservoir. The Water Association believes that water transfers would be a positive step to protect water resources. Kern County would be a buyer of water that was made available through water transfers.

Tim Thomson, First Vice President, Kern County Farm Bureau

The individual property owner should maintain the right to manage his land in the most advantageous manner possible. Non-prime agricultural areas should be the focus of development projects whenever feasible. The Farm Bureau opposes regional government or any additional layers of government. Preservation of farmland and open space is already being accomplished through the Williamson Act. The State should move to complete the State Water Project. There would not be a water problem in normal years if the State would finish the plan set out in 1960.

David Dmohowski; Vice President, Land Planning; Tejon Ranch Company
Tejon Ranch Company believes that urban limit lines around existing metropolitan areas will be insufficient to accommodate growth that will occur in the future. Instead, development of a series of compact, planned communities should be considered as part of the overall strategy for dealing with the intense growth pressures that will occur in areas such as the Central Valley. The only farmland that should be preserved is "prime farmland" (by USDA definition) which can sustain commercial agricultural production and which has a dependable water supply. Tejon Ranch is also concerned about transfer of development rights as a method of preserving open space. This proposal could lead to challenges to development projects on adjacent lands. The state should adopt broad policy guidelines that can be adapted at the local level.

***Don Murfin, Executive Director, Project Clean Air**

Not representing Project Clean Air, giving personal views. Government needs to regain the trust of the people, and the Growth Management Council should keep that in mind when deciding what policies to pursue. Laws that are passed need to be understood by the people. Otherwise, society will not function correctly. For example, most people understand that stop signs are needed at intersections to avoid accidents, so they will stop at them. When the government tries to make laws that don't make sense, the people will not follow them. When dealing with matters that affect the public, it is important that the process in reaching a decision be open to that public. Project Clean Air is working on a number of items that are helping to clean the air in the Central Valley by voluntary methods. For example, they are encouraging the reduction of agricultural burning and a move away from diesel engines.

***Mary Griffin, Kern County Audobon Society,**

Ms. Griffin gave a description of the wide variety of birds available to view in Kern County. Mono Lake preservation was partially accomplished by bird watchers who became concerned about the loss of birds that used to feed on the Mono Lake brine shrimp. Society should look at fish and birds as an early warning sign for humans. Better efforts need to be made to protect birds from man-made dangers. There is a need to protect the biodiversity in Kern County. The Growth Management Council should ensure that Kern County obtains its fair share of tax money that is distributed to counties.

***Stormy Williams, Rosamond resident**

Ms. Williams disagrees with earlier speakers that "quality of life" issues should be balanced with business climate interests. Ms. Williams lost her husband, her father-in-law, and a close friend to cancer and believes it was caused by toxics in the area around Rosamond. Better State control is needed to protect people from being exposed to chemicals that cause cancer. Ms. Williams gave examples of the types of companies that are operating in Rosamond that she believes are causing the cancer.

Rick Hewett, The Nature Conservancy

Mr. Hewett submitted testimony which stated that, historically, the decline of our native wildlife and natural lands was essentially a biological issue. But now, this decline has become a significant social, political, and economic issue. This has resulted in the protection of significant tracts of habitat. To protect the habitat of endangered species in Kern County, two habitat conservation planning groups (HCP's) were formed. State, county, and city governments need to take larger and stronger roles in the protection of our natural heritage. As the San Joaquin Valley continues to grow, it is imperative that we actively plan for the protection of our open space, wildlife and endangered species.

Georgette Theotig, Chapter Chair, Sierra Club, Kern-Kaweah Chapter

Ms. Theotig said that there must be a plan for orderly growth in California. Local communities can no longer remain islands, since each is inextricably bound to the other. The Sierra Club proposes four policies to form the basis for a comprehensive growth management program: 1) clean the air, 2) promote energy efficiency, 3) ensure affordable housing, and 4) protect valuable open space and farmlands. These policies must include the following elements: 1) firm urban growth boundaries, 2) development restrictions on lands outside the boundaries, and 3) compact, transit-accessible development. In addition, there needs to be some discussion about how to limit family size, since the burgeoning population is stressing the state resources. On a local level, the chapter is concerned about protecting the Kern River Parkway where an extension to Interstate 40 has been proposed.

Building and Development Interests

Marvin Dean, Kern County Minority Contractors

Mr. Dean said that the State should be involved in promoting equal opportunity to assist minorities. One thing the State should not do is over-regulate and over-tax. This will force companies to leave the state which hurts all workers. He urged public agencies to increase participation by minorities and women in public works projects. Instead of putting black males in jail, Mr. Dean said the State should invest the same dollars in a Marshall Plan to place black males in the workforce as productive citizens.

***Ralph Anthony**

Mr. Anthony said there is a need to use local agencies to help re-assimilate former inmates into society. One example would be to spend money on a pre-apprentice program. Local groups that have a history of working in the poor and minority communities should be fully utilized. Mr. Anthony expressed concern that there were no members of the African-American community representing the Council in Bakersfield.

***Irma Carson**

Ms. Carson was concerned about the level of health care and education being provided for minorities. She felt that until these problems are addressed, the other problems of the minority communities will not be solved. She also highlighted the effect that drugs are having on men and women in minority communities.

Jeff Williams, President, Building Industry Assoc. of Kern County
There is a serious imbalance in the supply and demand of housing in California. Projections for 1991 show that only half the needed number of housing units will be built this year. Problems of affordable housing are similar throughout the State. Development fees, excessive regulations and building standards, processing delays, and zoning restrictions all contribute to the cost of a house. Elements that should be included in a growth management plan are as follows: 1) Affordable housing strategies should be market based and supply must be allowed to catch up with demand, 2) policies should be broad enough to act as a guide rather than imposing additional restrictions and controls, 3) no additional layers of bureaucracy should be formed, 4) the state should provide clear, consistent guidelines to local governments which can then implement them with the state utilizing fiscal incentives and disincentives to ensure compliance, 5) local governments must be provided with adequate revenue generating authority to avoid fiscalization of land use, 6) State policies must maintain a healthy business environment, and 7) infrastructure needs should be studied and appropriate capital facilities planning should be made to address these needs.

Judy Salamacha, Castle & Cooke Development Corporation
Communities usually justify growth controls as mitigating the adverse effects of population growth. The alleged benefits and purposes of growth management are: improved environmental quality, preservation of open space and sensitive lands, reduction in suburban sprawl, improvements in the quality of life, decreased traffic congestion, greater economic growth, desirable urban redevelopment, and lower municipal service costs. After reviewing a number of research studies, Castle and Cooke made several recommendations regarding growth management: 1) local control is imperative, 2) growth management plans should include time lines for various government entities and public private ventures to implement selected policies, 3) city/county/regional considerations should be integrated into growth management policies as needed to coordinate the overlapping effects of many growth management decisions, 4) interference from the state should occur only in disputes involving issues having a broader context than local jurisdictions, and 5) state funding for planning and enforcement entities is a key factor for the successful design and implementation of growth management policies.

***Michael Dhanens**, American Institute of Architects
Californians like their privacy. They like to live in one place, work in another, and shop in still another. Growth should be encouraged but needs to be better managed. The state should take the lead in encouraging compact and balanced development to lessen dependence on the automobile. Architects can be instrumental in developing structures that will meet these needs and be visually pleasing to the general public.

Fred Porter, President, Kern Chapter, California Council of Civil Engineers and Land Surveyors
Mr. Porter felt that local government should manage growth within each jurisdiction. The General Plan process covers all of the issues that are usually considered to be growth management issues, and the current process works well. Regional approaches are necessary for air quality, regional transportation infrastructure and statewide or federal water projects, and the regional mechanisms are already in place. Each time the state becomes involved in development issues the result is delay and cost increases. Any additional layer of government would simply be a detriment to State and local government.

***Rodney Fernandez**, Cabrillo Economic Development Corporation
Mr. Fernandez participated in the CSUS Consensus project for housing issues. State policies for housing should be maintained, but there needs to be teeth put into them. For example, the Fair Share housing provisions are often ignored.

***Norm Baldinger**, Chevron Land Development Corporation
Successful growth management means effectively meeting community needs through timely planning and cooperation between the public and private sectors. Growth management should be done locally rather than regionally or statewide. The only certainty about a new layer of government is an increased cost of government, while the benefits are only possibilities.

***Mike Ammann**, Kern Economic Development Corporation

Mr. Ammann discussed the efforts of other states to lure California companies away. They are working to encourage those companies that are looking for a lower cost environment to look at the Central Valley. To encourage the use of enterprise and incentive zones the State needs to improve consistency between the regulations issued by various state agencies. These inconsistencies don't allow the State and local communities to attract jobs and increase the economic base. The Corporation opposes adding another layer of government. In the Central Valley, the item that will drive growth management will be clean air rules both from EPA and from the California Air Resources Board.

Business Interests

Ray Watson, Greater Bakersfield Chamber of Commerce

The Chamber supports the concept of regional planning, but opposes the creation of a new layer of government. Rather, there should be cooperative intergovernmental planning. The State's role in growth management should be: 1) allow each region to maximize its resources in the free marketplace within acceptable bounds, 2) establish the means by which resources may be used, shared, and preserved, 3) provide vehicles through which common problems can be addressed on a consistent, equitable basis, 4) provide consistency in addressing social issues.

Karen Wass, President, Bakersfield Association of REALTORS®

While in many parts of the state growth has been viewed as a negative, Kern County's growth has been positive, providing needed jobs, affordable housing, and at times a robust economy. The Association is concerned that some growth controls may price many people out of the housing market by imposing developer fees or assessments. There needs to be consensus on just how much development is responsible for increases in infrastructure funding needs. The Association does not believe a new layer of government should be created. To achieve affordable housing goals, increased densities should be allowed and encouraged and urban limit lines should be discouraged.

Pete Parra, Executive Director, Employers' Training Resource

Job training is a key component of growth management strategies. Every area in California is currently represented by a partnership of public and private entities to provide effective training for available jobs. This arrangement has proven successful with each governing board offering its unique input due to local conditions. This local aspect allows programs to adapt to the job climate in each region. The State should be involved by ensuring that growth management strategies allow the development of additional employment opportunities and that a well-trained, productive workforce is available. The most important role for the State is to promote the communication process but to resist the tendency to dictate policies and regulations for all of California.

Cindie Moore, President, Kern County Board of Trade

In any discussions about what to do about growth, one must keep in mind that a healthy business climate is the key to adapting to growth. If companies continue to move out of state, we will have ghost towns and twice as many problems as we have now. To keep this from happening, the state should simplify and minimize general guidelines to ensure that they are clear, not contradictory, and are cost effective. To consider adding another layer of government would only compound and worsen the situation. Mechanisms are already in place for cooperation between existing entities.

Education

Dr. Kenneth Garland, Assistant Superintendent-Business, Bakersfield City School District

School housing needs are at a crisis level. Adequate methods for funding school facilities are essential. This means approving local school bond issues with a simple majority vote, cost-sharing with the State for facility financing, and the abolition of the bureaucracy that guides facility funding. Bilingual and special education teachers are in demand and help may be necessary to ensure that school districts can provide needed services. Low income housing should be dispersed throughout the area and incorporated into new developments.

Dr. Kelly Blanton, Superintendent of Schools, Kern County

Before discussing schools, Dr. Blanton outlined the steps that a local group, Citizens for Effective Local Government, would like to see taken to create a more effective government: 1) Identify and remove administrative roadblocks, 2) oppose fiscal policies that do not provide funds sufficient to pay for services mandated, 3) oppose funding state programs which are supported by local fees, 4) facilitate regular, planned communication among local jurisdictions to promote collaborative efforts which can provide better service at lower cost, 5) revitalize local government, 6) rekindle citizen interest/participation in local affairs. Dr. Blanton also discussed the specific concerns of the school district. Kern County will continue to experience strong growth and new schools are needed, but funding sources for new construction are extremely limited. The State may no longer "match" all of a district's local contribution for construction funding which further strains local government. While some services need to be provided at a regional level, this does not require the creation of another level of government. There should be a strong role for local school boards in the governance of our public schools, but recently we have been drifting from that principle.

General Growth Concerns

Laura Dennison, President, League of Women Voters of Bakersfield
The League recommends that the following items be supported by the Growth Management Council and the Governor: 1) loosen limits on local revenue sources to allow adequate revenues to be collected and eliminate "zoning for dollars," 2) ensure that prime agricultural land in the Central Valley is preserved, 3) State leadership is needed to regulate water distribution and quality, 4) State control of guidelines and policy for pollution control, administered by air basin, 5) regional control, with significant local input, of transportation decisions, 6) State leadership in the regulation and management of solid and hazardous waste, 7) State programs to expand the supply of safe, decent, adequate housing for all Californians, 8) there should be several layers of government, each dealing with issues that are appropriate for that level of government, and there should be a clear definition of legislative intent in state-funded programs, and 9) officials should encourage active participation in state and local government by ensuring that decisions are made openly and that broadly publicized, convenient opportunities are available for public participation in the process.

***Lucille Wake**

Ms. Wake does not believe that there is much growth management. The 2010 plan is only the beginning of a growth plan. There need to be much more comprehensive growth management plans enacted to protect the environment and to keep the transportation system from gridlock.

Roy Weygand, Kern County Taxpayers Association

The Association is a staunch supporter of local government. The lowest level of government is most responsive to taxpayers and voters. The Association does not support regional government in any form. When common issues transcend governmental boundaries, joint powers agencies should be used. Mr. Weygand also stated that the State must stop micro-managing local programs through mandates. Mandates may assure that the letter of the law will be met but the goal may never be reached.

***John Means**, Kern County Valley Action Network

Environmental groups see the result of poor planning when they discuss the issues of concern to them. For example, water and air quality issues that they discussed fifteen years ago are still around and the quality is still declining. It is important that all affected groups be included in the decision-making process, not just the hearing process. Mr. Means does not like the adversarial process, but that is what usually happens when not all groups are included in the process. These decisions should be made at the local level, not at the state level. However, the State does need to provide strong incentives, or even a hammer, to encourage local governments to meet State standards.

***Ron Wermuth, Kern Valley Indian Community**

Mr. Wermuth discussed serious health problems facing the Indian Community. He would like to see Indian Trust lands used by high-tech firms that are currently moving to other countries. The tax-exempt status of Indian Reservations should be attractive to these companies.

***Dennis Fox**

Mr. Fox stated his concerns about how government works and offered several examples of how he believes the process has stopped working as it should. For example, all levels of government refuse to take deal effectively with problems. The federal government places mandates on the states, the states places them on the counties, the counties on the cities, and then the cities create special districts to deal with the problem. Mr. Fox does not feel that government does nearly enough to mitigate the problems that it creates.

GOVERNOR'S TASK FORCE ON REGIONALISM
BAKERSFIELD HEARING
JULY 24, 1991

GOOD MORNING (AFTERNOON). I AM MEL MCLAUGHLIN, MAYOR OF THE CITY OF WASCO, REPRESENTING THE KERN COUNCIL OF GOVERNMENTS...THE REGIONAL TRANSPORTATION PLANNING AGENCY AND METROPOLITAN PLANNING ORGANIZATION FOR KERN COUNTY. SEVERAL MONTHS AGO, DIRECTORS OF THE KERN COUNCIL OF GOVERNMENTS APPOINTED A COMMITTEE TO RESEARCH, DISCUSS AND DRAFT OUR PRECEPTS ON THE EMERGING ISSUE OF REGIONALISM. AFTER MUCH LIVELY DISCUSSION AND SEVERAL MEETINGS, OUR COMMITTEE DRAFTED 12 DIFFERENT BASELINE PRINCIPLES ON REGIONALISM. I'D LIKE TO SHARE THOSE 12 POINTS WITH YOU NOW.

FOREMOST, WE FEEL A REGIONAL PLANNING ORGANIZATION SHOULD NOT RESULT IN THE CREATION OF NEW GOVERNMENTAL LAYERS AND ORGANIZATIONS; DUTIES CAN BE FULFILLED THROUGH EXISTING STRUCTURES. FURTHER, THE GOVERNING BOARD OF A REGIONAL PLANNING ORGANIZATION SHOULD BE COMPRISED OF LOCALLY ELECTED OFFICIALS FROM GENERAL PURPOSE GOVERNMENT.

DIRECTORS OF THE KERN COUNCIL OF GOVERNMENTS FEEL THE STATEWIDE PLANNING PROCESS NEEDS CLEARER DEFINITION. THIS WILL INSURE CONSISTENCY AND WILL DEFINE STATE, LOCAL AND REGIONAL INTERESTS AND ROLES. ALONG WITH THAT DEFINITION THERE NEEDS TO BE A BETTER DEFINITION OF REGIONAL, LOCAL AND SUBREGIONAL ROLES AND

RESPONSIBILITIES. WITHIN EACH REGION WE SUGGEST THAT SUBREGIONS BE DEFINED WITH SOME DEGREE OF FLEXIBILITY. THIS ALLOWS FORMAL AND INFORMAL GROUPS TO COME TOGETHER TO DEAL WITH ISSUES HAVING SIGNIFICANCE FOR A PARTICULAR GEOGRAPHIC REGION...SUCH AS THE BAKERSFIELD METROPOLITAN AREA, THE DESERT, AND SO FORTH.

CONSISTENCY AMONG STATE, REGIONAL AND LOCAL PLANS IS A NECESSITY. THEREFORE THERE NEEDS TO BE A PROCESS TO DEVELOP CONSISTENCY BETWEEN THESE PLANS, ALONG WITH A METHOD FOR EACH LEVEL TO SELF CERTIFY THAT THERE PLANS ARE, IN FACT, CONSISTENT WITH PLANS AT THE OTHER LEVELS.

IN ORDER TO CARRY OUT THE PLANNING PROCESS AND IMPLEMENT LOCAL AND REGIONAL STRATEGIES. THIS MEANS MORE FUNDS FOR PLANNING AS WELL AS REVENUE FOR CAPITAL IMPROVEMENT PROGRAMS FOR REGIONAL FACILITIES.

WE FEEL STRONGLY THAT AUTHORITY THAT HAS BEEN TRADITIONALLY VESTED IN LOCAL GOVERNMENT WHICH HAS BEEN REMOVED BY THE STATE OVER TIME, NEEDS TO BE RE-EVALUATED TO DETERMINE IF IT SHOULD BE RETURNED TO LOCAL GOVERNMENT. ADDITIONALLY, THERE SHOULD BE NO LOSS OF LOCAL LAND USE AUTHORITY IN THE REGIONAL PLANNING PROCESS. FURTHERMORE, IN APPROPRIATE AREAS, AUTHORITY SHOULD BE RETURNED TO THE CITIES AND THE COUNTY.

THE REGIONAL PLANNING ORGANIZATION AND PROCESS NEEDS TO ALLOW

ACCESS AND INVOLVEMENT BY SPECIAL DISTRICTS. THE INVOLVEMENT OF SPECIAL DISTRICTS MUST BE CLEARLY DEFINED.

THE ENVIRONMENTAL REVIEW PROCESS NEEDS TO BE STREAMLINED TO INSURE THERE IS ADEQUATE ENVIRONMENTAL, ECONOMIC AND SOCIAL EVALUATION IN THE PLANNING PROCESS SO THAT PROJECTS CONSISTENT WITH THE PLAN DO NOT REQUIRE ADDITIONAL, TIME CONSUMING AND EXPENSIVE ENVIRONMENTAL IMPACT ANALYSES.

AND FINALLY, AS THE STATE CONTINUES TO EXPLORE THE COMPLICATED ISSUE OF REGIONALISM AND BEGINS TO DRAFT PLANS FOR REGIONAL PLANNING ORGANIZATIONS, WE, AS DIRECTORS OF THE KERN COUNCIL OF GOVERNMENTS, URGE YOU TO CONSIDER THESE POINTS CAREFULLY. I'D LIKE TO COMMEND YOU ON BRINGING THIS HEARING TO BAKERSFIELD AND THANK YOU FOR ALLOWING ME TO COME BEFORE YOU TODAY.

COUNCILMAN MARK SALVAGGIO'S STATEMENT
GROWTH MANAGEMENT COUNCIL HEARING
CITY OF BAKERSFIELD
WEDNESDAY, JULY 24, 1991

Good morning and welcome to Bakersfield, an All America City. We certainly live in exciting and challenging times.

It is refreshing to see that California finally has a Governor who seems committed to confronting the many problems caused by urban development.

Our last three governors concentrated very little on the consequences of urban and suburban sprawl. I commend the creation of this Growth Management Council and its desire to conduct this hearing today in Bakersfield, Kern's county seat.

As the Wilson Administration takes seriously the threat that unchecked suburban sprawl poses to farmland, wildlife, water and resources, I hope it does not believe that state government can or should regulate the rate of growth. Instead, the state's roll should be one of helping local government manage development in a manner that causes the least harm to the environment.

It is gratifying to hear the Governor say: "We are not going to make local land-use decisions from Sacramento". We are also pleased with his commitment to local government when he said: "By and large, the people who have to live with decisions should be the ones to make them".

Growth is natural and unstoppable, and it can be handled in ways which do not destroy our qualities of life. The potentials of growth management are exciting, and there is certainly no time to waste in reinvigorating this long neglected area of public policy. This issue needs some leadership and direction at the state level because local communities cannot deal with this all by themselves. Local control is important, but how about some state guidelines on regional planning? There has got to be a high level of cooperation among all levels of government that often are at odds with one another.

The state must play a key role, however, in solving the growth related problems of traffic congestion, dirty air, lack of affordable housing and water shortages.

California's population has increased by over 6 million in the last 10 years, to a present total of more than 31 million. Think of it! Don't tell me that Ben Stein doesn't speak a real measure of truth when he says, "California is now a scary place", citing escalating crime, pollution, gridlock and an exodus from Southern California to other states such as Oregon or less-crowded and less troubled areas of California.

Of course, the big question for us to answer is whether growth management should be voluntary or mandatory and how we are going to pay for growth management. Finding the answers to these questions will require an ambitious undertaking.

I can't ever remember a time like this when growth management has been singled out as a priority for both the governor and the legislature. In the name of "good government", I hope both branches of government will strive to work together on this important issue. Keep partisan politics to an absolute minimum. The people of this state deserve better, and they are sick and tired of partisan bickering getting in the way of making good public policy.

The time is now to move on to a new debate over how to get a handle on California's growth problems. Both the state and local governments play a significant role in people's lives. In his Inaugural Speech, Governor Wilson referred to former Governor Edmund G. (Pat) Brown as the "builder". Let's hope Pete Wilson is a "doer". The State Legislature and local governments should work with the Governor to help him become a doer. These hearings are a first good step.

**PRESENTATION TO INTERAGENCY COUNCIL
ON GROWTH MANAGEMENT**

By Joel Heinrichs
Director, Policy Analysis & Intergovernmental Relations
County of Kern

On July 16, 1991, the Kern County Board of Supervisors approved the attached testimony for presentation to the Council. Since the testimony is in a question and answer format, I will take a few minutes to summarize the key elements and, if desired, respond to questions.

The State of California is adding some 2000 people to its population every day. Two-thirds of this growth is occurring in Southern California. Kern County, poised on the fringe of the Los Angeles basin with relatively cheap land, an extensive transportation network, and an abundant labor supply, is growing and will continue to grow rapidly. Thus, the challenge facing the Kern County community is how best to strike a healthy balance between stimulating economic vitality, protecting environmental resources and promoting the quality of community life.

There is no cookbook solution to this challenge or the Council would not be here today seeking answers. But the Board can offer the Council some basic concepts which seem to make sense from its perspective.

There is no simple "answer" to the growth management challenge.

California is a diverse state. We must recognize that local regions have different desires and capacities to accommodate growth of various types. Each region must tailor a public policy response to California's rapid growth that best addresses local community circumstances.

The State should facilitate -- not legislate -- responsible growth management at the local level.

Local communities, within broad State guidelines, should determine how they will grow. The State should limit its role to ensuring that comprehensive planning takes place and that local decisions are consistent with that planning process.

The current State practice of legislating "solutions" to a host of competing problems via conflicting and confusing mandates (some funded, some unfunded, and some partially funded) is counter-productive. It severely strains existing resources, it discourages local innovation, and it exacerbates the historically fragmented, single issue approach to growth management issues. Local regions need to be empowered by the State to organize themselves in the manner most effective for that region in order to properly plan and manage growth.

Local regions must accept the responsibility for growth management decisions.

Like the State, local governments are not immune to the desire to "have our cake and eat it too." It is easy, when various local governments have limited authority or discretion, to simultaneously support affordable housing, agricultural land preservation, aggressive air quality regulation and rapid growth without acknowledging or responding to the policy trade-offs involved in meeting any two of those goals. Current State planning and fiscal policy encourages cities, counties and special districts to take parochial approaches to these issues. If the State is willing to change how it manages growth, local governments must be willing to drop historical turf concerns and work together to respond aggressively to the service demands associated with growth.

Summary

Kern County is willing to take responsibility, in partnership with other local governmental entities, for managing growth within this region. The State can best promote active growth management by identifying basic statewide goals and guidelines, by not micro-managing local responsibilities and by providing incentives to local government to create unique, responsible, locally-created responses to regional growth. This approach will require local communities to make hard decisions, but those decisions belong with local communities whenever possible.

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STATEWIDE GROWTH MANAGEMENT PLANS

PROBLEM STATEMENT

Recent trends in the state of California and even nationally are creating conflicting policies regarding development, and government regulation of development. The cities of the State are mandated by State Law to maintain certain levels of fairness, legislated by A.B. 1600, in approving development projects. Additionally, government is mandated to mitigate negative impacts resulting from development, legislated by C.E.Q.A. The "community" of interest groups related to the development process has become broad and litigious. The range of interest groups now includes the Building Industry Associations on the pro-growth side and the Friends of Any Neighborhood on the other. In addition to the private, non-governmental entities there are also the Dept. of Fish and Game, the Air Resources Board, the Regional Water Quality Control Boards, the Department of Conservation and many other State agencies that play a role in the development review and approval process. Every year additional legislation passes requiring additional regulations of waste disposal and other issues. The continuing flow of legislative mandates without adequate funding or regional perspective creates a mass of bureaucracy that disenfranchises the entire "community" while increasing the costs of government.

EQUITY, CONSISTENCY AND CONFLICT

A.B. 1600 requires detailed and comprehensive analysis to justify exactions or fees imposed on new development. Air quality and transportation management regulations require mitigations that may include fees or exactions. The regulations that have developed out of the California Clean Air Act and the recent Fish & Game A.B. 3158 fees have not been subject to A.B. 1600 review because they are considered fees rather than exactions or taxes. Fair housing advocates and the latest issue of the development community, identified as "affordable housing", seeks to waive all fair share mitigations and fees. This latest trend being furthered on the national level by H.U.D. could create very difficult fiscal problems statewide. Each of the policies and regulations designed to mitigate negative impacts or reduce the burden on developers and in turn home buyers is potentially in conflict with some other section of law or State policy and could eventually lead to paralysis among local governments in their effort to balance all policies while also balancing their budgets and providing acceptable levels of service to their communities.

INFRASTRUCTURE AND REGIONALISM

Recent court decisions on behalf of school districts find that a school district may stop a project or litigate with a legislative body over the approval of a project. The bottom line in the area of schools is that they want more money from developers which will in all likelihood mean less money for streets and infrastructure

improvements needed by cities and counties. At the same time that schools are furthering their policies and goals cities and counties are competing over the issue of where urban development should take place. Cities are often more costly places to develop because of the type of infrastructure required. Counties will often have lower levels of infrastructure and therefore reduced development costs. Once the development has been approved and even built it becomes an issue of whether the land should be annexed to a city that can offer a higher level of service, especially sewer and water service. At this time the property tax exchange conflict begins. The County generally doesn't want to provide more municipal services but is addicted to the property and sales taxes generated by development in unincorporated areas. This area of regional planning has been poorly served by the State due to financial limitations and a policy vacuum. Counties will continue to allow urban development to take place but will offer reduced levels of service to these communities due to revenue shortfalls. This fiscal dilemma leads counties to bolster revenues, with great attention now focused on the property tax exchanges with cities. The cycle of revenue shortfalls and elimination of government programs is the trend of the future. The continuation of State mandated programs and the inability of counties to balance their budgets will force continued encouragement of urban development distant from urban centers in an effort to increase tax revenues. The cycle will lead to decreased quality of life related to schools, congestion, air pollution and infrastructure availability.

WATER POLICY

Pending action with regard to the Delta Smelt may limit water exports to southern California cities and farmers. Cities like Tehachapi and it's surrounding area have not yet hit the threshold of water shortages that Morro Bay or Santa Barbara have but that is only a matter of time. The Tehachapi area depends on groundwater and has not yet surpassed carrying capacity although this will occur by approximately 1995. At that time the area will become dependent on State Project Water entitlements that are only guaranteed until the year 2038. It is therefore of critical importance that any State policy making process regarding growth management contain water resource management plans that cross jurisdictional boundaries with a rational and appropriate implementation plan.

Currently State policies regarding water are conflicting. The Regional Water Quality Control Board regulations create incentives to waste water. This is due to onerous requirements for water reclamation and recharge. At the same time, the Department of Conservation is encouraging cities to conserve and reclaim water. The future of this State is dependent on adequate water supplies yet no new water projects are likely to be constructed due to environmental impacts considered unacceptable by some residents of the State. The fallout from the lack of consistent water policy is that agricultural land may be taken out of production and later approved for more urban development. This trend will alter our

State economy and our position as the great agricultural producer that we once were.

SUMMARY

The answers to the State growth dilemma are not yet at hand. Some people believe "no growth" policies are best while others view less government regulation as the answer. As our society becomes increasingly complex we find government can be a provider of basic services like water, sewers, streets, drainage systems, schools and public safety services. The legislature will continue to add to the list at the request of the community. The increased government involvement dictated by a growing and complex society will make the business environment more complex. The legislature currently is under going Jekyll and Hyde transformations where they require new programs to benefit a member of the "community" while failing to consider the ripple effect that these mandates may have on other programs due to fiscal limitations. Cities are attempting to maintain the level of service for community needs while watching the revenues to provide services declining. Counties are mandated to provide certain services therefore other non-mandatory services may be reduced or eliminated. Kern County is allowing a decline in their level of service to balance the budget. Cities are using assessments, user fees and other quasi-taxes to balance their budgets.

CONCLUSIONS

The State must be consistent in developing new regulatory mandates and distributing funds. If the State, counties or cities are going to survive it is critical that growth policies not only consider the societal needs for schools and housing but also the fiscal needs of the service providers at the city and county level. Another level of government or another State agency is not necessarily the answer to the State growth management dilemma. Consistent implementation of existing state laws and consistency between State agencies could greatly benefit all levels of government. If the State had a General Plan for Policy review and legislation that required consistency among State agencies before passage of legislation or rulemaking, then the local jurisdictions could better respond to State mandates. Until the State does address regional issues at the regional level it will be impossible for local jurisdictions to resolve their differences at the local level and different jurisdictions will be forced to compete for dwindling financial resources.

PRESENTATION TO
INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

July 24, 1991

by Jack Hardisty, Planning Director, City of Bakersfield

Welcome to the City of Bakersfield - 15th largest city in the state and among the fastest growing.

It seems appropriate that you have selected Bakersfield as the site of one of your several public hearings on growth problems in the state.

Even though we experienced tremendous growth rates during the 1980s - in one year over 10 percent - we see even more pressing demands for expansion in the coming decade.

Where are our new residents coming from? Thirty-five to 40 percent will be born here; while many others will move from Southern and Northern California, as well as other parts of the nation in search of affordable housing, jobs and a better environment.

And it is these very attributes that we wish to preserve as we plan for future growth.

How will we accommodate this growth and what can the state do to assist us?

California is bulging with new residents, straining the service capabilities of the cities they are moving into. They are overburdening the infrastructures, such as roads, sewers, and water, the fire and law enforcement services, schools, and social services.

Pressure has mounted throughout the state for growth management measures - from stemming the tide of immigrants to implementation of no growth policies. Several growth management bills, including those calling for the creation of large, multi-purpose state-directed regional planning agencies, are pending in the Legislature.

It is important to respond to these growth management pressures with caution and a willingness to recognize people's desires to exercise local control over their communities and their governments. We must recognize that each community is unique - some able to accommodate growth, while others already are stretched to their limits.

One, simple growth management plan cannot be imposed on the entire state. Much of the response to growth must be determined at the local level, where cities and counties can best determine their resources and appropriate responses.

There is the need for greater cooperation between existing federal, state and local agencies. This is a leadership role the state must fill. However, creation of additional layers of government - federal or state - should be closely and critically evaluated.

The City of Bakersfield relies heavily on its general plan - adopted in 1990 and covering a time period extending to 2010 - as well as its zoning and development standards to manage growth. It should be noted that the same general plan was adopted by Kern County to guide growth in unincorporated areas of Metropolitan Bakersfield. Adoption of this plan by both the city and county recognizes the ability of various layers of government to work cooperatively on the local level to address growth-induced problems. More of this type of cooperation is needed.

Federal, state, county and city representatives currently are working on the implementation of a comprehensive metropolitan plan to preserve habitat for endangered species - another example of multiple levels of government working cooperatively to solve a local growth problem. The state should encourage this type of cooperation.

✓ Not all impacts of growth recognize the boundaries of a city, or exist exclusively in unincorporated areas. The Kern Council of Governments addresses these impacts. As an example, Kern COG recently assumed the role of the congestion management authority, coordinating transportation planning and funding throughout the county.

✓ However, some growth problems - air pollution, water quality, water availability, waste disposal - demand regional solutions. This has been recognized by the recent creation of the San Joaquin Valley Air Pollution Control Agency, an organization of eight counties forming the valley air basin. Existing state agencies and their regional boards have been established for decades to address water quality and availability issues.

While the jurisdictions of some of these single-purpose agencies may at times overlap, the state must assume the responsibility for providing the leadership to prevent duplication of services or competing programs. Governor Wilson's intention to reorganize state government, particularly his recent creation of a California Environmental Protection Agency, should enhance the state's leadership role in this area.

✓ We are looking to the state for leadership - not for the creation of more layers of government, not for the creation of multi-purpose superagencies that supplant local control with more bureaucracy. We are convinced problems created by growth throughout the state, and particularly in Kern County, can be addressed without the people's loss of self-determination. The local sense of stewardship - protection of the environment, preservation of agriculture land, enhancement of an overall quality of life - can be nurtured by the coordination and leadership state agencies should provide.

Today's hearing, as well as others scheduled throughout the state, demonstrate Governor Wilson's concern for growth-induced community problems, his willingness to listen to the people and his intention to cautiously develop growth management policies.

KERN COUNTY BOARD OF TRADE

Economic Development • Tourism • Film Commission

The Heart of the Californias™



KERN COUNTY BOARD OF TRADE TESTIMONY

JULY 24, 1991

INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

Good morning, my name is Cindie Moore and I am president of the Kern County Board of Trade. Thank you for this opportunity to address you on this very important subject. The Board of Trade is a department of county government structured with a Board of Directors of ten people appointed by the Board of Supervisors.

I would first like to tell you how happy we are that you are holding these hearings in local communities throughout the state. The issues associated with growth and how it is managed will have far-reaching implications and you are to be commended for soliciting input from a wide variety of sources in order to formulate your recommendations to Governor Wilson.

I am sure that what you are hearing is a variety of local attitudes toward growth, its relative costs and benefits, and the social and physical abilities to accommodate it. California is a large and diverse state which means that the priorities and needs of the various areas are going to be extremely different.

What is a universal consideration is a healthy business climate ... if companies continue to move out of state, we will have ghost-towns and twice as many problems as we have now.

For the economic and environmental good of the state as a whole, down through and including our many residents, the state should simplify and minimize general guidelines that are clear, not contradictory and that are cost effective. As much as possible, it should take a "market" approach by giving incentives for creative and unique solutions developed at the local level. To the greatest extent possible, existing local entities should be empowered and encouraged to work together by the state guidelines rather than be fiscally-pitted against each other as has been the recent trend.

Interagency Council on Growth Management
Page Two

To consider adding another layer of government would only compound and worsen the situation. Mechanisms are already in place for cooperation among existing entities. The appropriate role for state government to assist with the attainment of various goals would be to eliminate inconsistent "coordination" mandates, fiscal disincentives, overlapping and contradictory requirements, and instead establish positive motivations for local creative solutions.

In conclusion, let me say that I think it's apparent to everyone that costs must be a major consideration since they have become prohibitive to government, business and taxpayers alike. If the state would develop a cohesive but broad set of stateside guidelines that can be effectively implemented in creative and widely differing ways by existing entities, it would encourage the healthiest economic and environmental conditions possible. What could be a solution could cause more problems in another location. State guidelines must recognize and allow for that dynamic situation.

Thank you very much.



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WZI

July 23, 1991

State of California
Office of Planning and Research
Governor's Council on Growth Management

Honorable Council Members:

In consideration of the numerous issues associated with growth management and the limited time available, I will speak primarily to the issues of the quality of life as it interrelates to pollution prevention. The people of the State of California possess certain inalienable rights granted them by nature and, with those rights adhere certain responsibilities. Fortunately, and at the same time reprehensible, is the sheer enormity of the resources available to the citizens of this State. With such abundance at their disposal, Californians have, since the beginning of the century, developed an environmentally abusive mind-set, fueled by prosperity. However, over the last two decades, the fruit reaped from the western population shift has soured.

The precise appurtenances that so attracted millions, are now the bane of our generation. Cheap developable land, plentiful water, wide open spaces, state-of-the-art transportation and a favorable business climate seem to many to be only a distant memory. And in true human fashion, the people of California have looked to its government, attendant with its myriad of agencies and commissions to solve the problems created by decades of indulgence. An attitude of "Oh, by the way, fix it quickly, thank you" prevails.

Which brings me to a very pressing and vexing question. What is the role of government in pollution prevention? I certainly do not believe that it is to legislate and regulate according to some plethora of special interest agendas. Rather I believe it to be the charter of government to ensure and protect the health, safety and quality of life of its inhabitants, irrespective of status. It does however become a very subjective issue as to what constitutes the quality of life.

The quality of life is dependent on the air we breath, the water we drink, the food we eat, the ability to go where we wish to go, and enjoy the beauties of nature as we recreate, however none of these can be separated from the ability to earn a living. Industry is an integral part of our living environment in a very positive sense.

I believe it to be of tantamount importance that regulators, in their roles as growth managers, not become so focussed on single quality of life issues that other important factors are repressed.

For example, in all the months of struggling to comply with the New Clean Air Act, the San Joaquin Valley Unified Air Pollution Control District has yet to address the economic impact of the New Source Rule standards, or retrofit controls. Cleaner air loses its significance to the person who has just lost his job. All the things that people strive for; live for; must be weighed. The elements of life are in constant adjustment. The inhibition of growth can go a long ways towards pollution prevention. However, does that improve the quality of life?

Compromise should be the watch word of both government and governed. And, more importantly, who is best qualified to ascertain what the optimal balance is. Not the State. Growth management is a local matter, to be determined by cities and counties and the people who live there. It is impossible for State Government in California to be responsive to this large and diverse conglomerate. I believe there to be little debate over the fact that the popular hierarchy of the elements constituting the quality of life differs greatly between Santa Barbara and Bakersfield, or Redding and Lancaster.

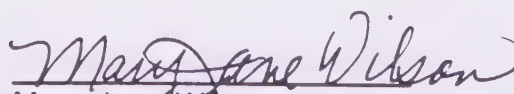
The objectives, likes and dislikes, desires of the people collectively and individually are disparate. To attempt to regulate such as matters on the State or regional level correctly is naive. It can be conceded that certain issues require regional cooperation but isn't that why we have elected officials on a city, county and state level?

The role of the State in growth management, and in particular in pollution prevention, should be motivational and educational. Government must recognize that it cannot halt overnight a century of bad habits. Pollution prevention must be an evolutionary process compatible with economic growth, demographic shifts and cultural and recreational needs. And, most important, it is the burden of every citizen to participate. The time for recruitment is ripe. The ecological consciousness of the American public has never been greater. It is time to look at all sources of pollution in total. And that equates to each and every one of us. Training is desperately needed to institutionalize prevention as the strategy of choice.

I leave you with the following points of consideration.

1. Compromise on every issue
2. Local control must take priority
3. Educate and motive; don't regulate

Very truly yours,


Mary Jane Wilson
President

MJW/BBB/jb
9999.04

FYI

Emerging Issues

1. Climate change and Ozone depletion
2. Increasing human and environmental exposure to toxics
3. Acid Rain
4. Prohibitive cleanup cost
5. Decreasing water disposal capacity

What is governments role?

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KERN COUNTY FARM BUREAU

STATEMENT TO GOVERNOR WILSON'S GROWTH MANAGEMENT COUNCIL

BAKERSFIELD, CALIF., JULY 24, 1991

Mr. Chairman and members of the Growth Management Council... my name is Tim Thomson, 1st Vice President of the Kern County Farm Bureau. I am pleased to be here today to offer the following comments relative to the management of ever expanding growth that you and Governor Wilson recognize must be dealt with. While we have reviewed the questions you seek to answer during the course of these hearings, we believe we are best suited to deal with only those items that affect agriculture and that we feel most strongly about.

Farm Bureau policy clearly defines the role of agriculture as it relates to the planning and zoning process. Since growth of most metropolitan areas is inevitable, it is most important that we support the rights of the individual property owner to manage his land in the most advantageous manner possible, we also believe that non-prime ag areas should be the focus of development projects whenever feasible. Land adjacent to and within city limit boundaries are the most logical expansion areas in order to meet the needs of population growth.

Farm Bureau subscribes to the concept of local controlled government. We do not believe that the state should supersede government on development or planning issues, and we strongly strongly oppose regional or additional layers of government.

In regards to the preservation of farm land and the maintenance of open space or "greenbelts", California already has one of the most effective programs of its kind anywhere, the Williamson Act. Over one million acres in Kern County are presently under contract, and its value as a farm land conservation measure has been proven again and again. If the state is really interested in doing something that would enhance the proposition of land conservation, an increase in the subventions, or moneys paid back to the counties, should be adopted.

I would like to make the following points that I believe best sums up our position as it relates to agriculture land issues.

(1: Agriculture is a basic industry making an invaluable economic contribution to the welfare of the county, state, and nation.

(2: Operation of farms should be permitted without needless restrictions.

(3: We support local planning which accommodates orderly, logical non-prime contiguous patterns of urban development in order to prevent premature and unnecessary conversion of economically viable ag lands to non-agricultural uses.

(4: We oppose the concept of establishment of "leap frog" centers in agricultural areas without due consideration of the adverse effect on continued farming operations.

(5: The approval of growth management plans should recognize economic as well as environmental factors.

(6: The implementation of planning for agriculture should be aided by assessment practices which recognize the current agricultural uses of land.

Now, let me turn to another important factor that we must not overlook when considering the growth of California Water. Although you have already heard from the previous speaker about this subject, I must restate that as active Kern County farmers and ranchers we are extremely concerned about the continuing

drought and the dwindling water supply. While we are doing everything that is humanly possible to conserve as much of our water as possible, conservation alone is not the answer.

We believe the state has failed in its responsibility to provide for the well being of its citizens by its lack of leadership in completing the State Water Project.

Studies have proven that California has enough water resources to provide for its municipal, industrial and agricultural needs, under normal conditions. During dry cycles everyone suffers. However, if the state had completed the State Water Project approved under the Burns/Porter Act, we would not find ourselves in jeopardy as we are today. The only thing lacking is the will of the government to move forward on a plan that was approved by the citizens in 1960. As long as the State of California continues to delay the solving of this dilemma, and as competing interests battle over water resources, ie, urban vs. rural, the less chance you will have to succeed in planning effectively for future growth.

Page 5.

In conclusion, I would like to summarize the following points for your consideration; We support local control on planning and zoning issues, we oppose the advance of regionalized government, we believe in the orderly development of urban growth, we support and defend the Williamson Act as the best and most effective land conservation measure in operation today, and we believe that agriculture should and must participate in land use issues that ultimately affect the continuance of economical farming practices.

I appreciate this opportunity to present this point of view. I hope it will aid you in your quest for answers to the pressing land use questions facing all parts of California. Thank you.

Testimony of David Dmohowski Before Governor's
Growth Management Council

July 24, 1991

Good morning, I'm Dave Dmohowski with Tejon Ranch Company, where I serve in the role of Vice President, Land Planning. We appreciate the opportunity to be here today and comment on a number of issues of great importance to the future of Kern County and to Tejon Ranch.

To give you some brief background information on our property, Tejon Ranch is over 420 square miles in area and is located roughly 60 miles north of Los Angeles and 30 miles south of Bakersfield, placing it near some of the fastest growing areas of the state. Current operations of the Ranch include farming, cattle ranching, oil and mineral leasing, and commercial development oriented to Interstate 5. Over 90% of our land is in Kern County with the balance in Los Angeles County. While our property is almost entirely undeveloped, there are a number of large development projects being planned adjacent to our land including the San Emidio planned community in the southern San Joaquin Valley, Keene Ranch in the foothills east of Bakersfield, and California Springs in the Antelope Valley.

I would like to address your Council on a number of issues of great interest to Tejon Ranch, including the planning and development of new towns, and the preservation of prime farmland.

In terms of California's growth, it is clear to us that the Central Valley will continue to experience significant pressure to accommodate a large portion of the state's expected population growth in the next 20 years. Tejon Ranch is in the very preliminary stages of preparing plans which will guide development of our property in responding to the inevitable demand for additional jobs and housing in our region.

Many of the pressing problems facing urbanized areas of the state--such as air pollution, traffic congestion, inadequate public infrastructure, lack of affordable housing, and loss of open space--are due to patterns of development characterized by unplanned sprawl. While there appears to be an effort to deal the issue of sprawl by proposing so-called "urban limit lines", we would argue that existing metropolitan areas are incapable of accommodating all or even most of the future growth of the state, both from the standpoint of land planning and from the standpoint of community acceptance. We believe that development of a series of compact planned communities or "new towns" should be

considered as part of an overall strategy for dealing with the expected impacts of intense growth pressure in areas such as the Central Valley. There are environmental, transportation and public fiscal advantages to the new town approach as opposed to unregulated sprawl which is characteristic of development in many areas which have experienced rapid growth in recent years. In the case of larger landholdings, such as Tejon Ranch, there is an opportunity to plan comprehensively to achieve balance between the human needs of shelter and employment and the goal of protecting the natural environment.

I would like to comment at this point on farmland preservation. There needs to be a distinction between preservation of farmland and preservation of open space for recreational or habitat purposes. Any new regulations or planning requirements should focus on prime agricultural land and not on other farmland or grazing land. What is considered prime farmland should only include land which qualifies for rating as Class I or II in the USDA Soil Conservation Service Land Capability Classification System and upon which sustained commercial agricultural production is feasible and for which there exists a dependable water supply. The California Department of Conservation's Farmland Mapping and Monitoring Program should not be used to define prime and other agricultural lands. Government Code Section 65570(e) pertaining to the mapping program expressly acknowledges that the purpose of the maps is not to consider the economic viability of farmlands or their current designation in the general plan. Indeed, the mapping criteria do not take into account economic reality. The criteria would include within the definition of "prime farmland" land which is burdened with \$500 to \$600 per acre irrigation costs. Furthermore, Tejon Ranch knows from direct experience that the mapping is incomplete, and in many cases extremely inaccurate. In some areas of the state, land has been mapped as prime farmland or land of statewide importance which has already been committed by local land use decisions to non-agricultural development. The maps tend to be several years out of date and corrections are made only by the state and then only once every two years. (See Government Code Section 65570(c).) Thus a local government has no immediate ability to correct those maps that it has determined to be clearly inaccurate.

In connection with farmland preservation, the concept of transfer of development rights has been suggested as a method of compensating landowners. We are concerned that this approach could be used as a way of inversely condemning surrounding lands. If an individual parcel becomes committed to agricultural use through a transfer of development rights, the development on adjacent parcels could be unfairly challenged on the basis that such development was not compatible with the agricultural uses of the property on which development rights had been sold. Reasonable compensation to landowners for all property affected

by such a program must be considered.

Many of the challenges which your Council faces in the area of growth management have to do with the institutional arrangements through which we attempt to govern ourselves. The most serious problems we are all concerned about do not respect existing jurisdictional boundaries. While we are not convinced that creating new layers of regional government will correct the situation, we would encourage the state's efforts in growth management to focus on broad policy guidelines which can be adapted to local needs and community goals, and focus on assisting city and county governments in coping with regional infrastructure coordination and financing issues so that local agencies can stay ahead of growth-related problems.

Lastly, in the debate over how we deal with the effects of growth, there needs to be room for discussion as to how people will want to live and work in the next 20 years, and in what type of communities they will want to raise their families. We hope growth management will not regulate the California experience out of existence. It would be unfortunate, indeed, if the lifestyles and workstyles of the future were merely mitigation measures for today's problems.

That concludes our comments. Thank you for the opportunity to participate.

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KERN MINORITY CONTRACTORS ASSOCIATION

TO: Chairman, Growth Management Council

I, Marvin Dean, residing at 3800 Stockdale Highway, Bakersfield, California will be submitting 16 pages of written testimony at this Growth Management Council Hearing on behalf of myself, the Kern Minority Contractors Association (KMCA) and the A. Phillip Randolph Community Development Corporation.

A coalition of over thirty organizations representing state-wide constituencies have been meeting to seek a collaborative public policy solution to growth management in California. My areas of interest include women and minority contracting opportunities, affordable housing, social equity and business and community development. I have attached a copy of the policy paper on affordable housing and economic development issues. The paper represents a consensus of ideas from the various organizations.

Future growth will bring more women and minorities into the building trades industry. KMCA is concerned that these contractors get their fair share of construction contract work. We ask that the state support local community established pilot programs to assist women and minorities overcome the many barriers minimizing their participation in public works projects. We propose that a statewide committee be established to look into this problem and provide the necessary resources and monitor local communities in providing equal opportunity in economic development to all citizens.

Sincerely,

Marvin Dean

**COMMUNITY ECONOMIC DEVELOPMENT
POLICY ISSUES TO CONSIDER FOR PUBLIC TESTIMONY**

- Policy: Economic development should be targeted to benefit local California residents/workers through first source hiring, contracting opportunities and small business development.
- Policy: The state should be committed to working with the nonprofit sector to encourage the development of expanded job opportunities for the population.
- Policy: State tax and expenditure policies should raise required revenues to support community-based economic development.
- Policy: The state should make an investment in social infrastructure commensurate with its investment in physical infrastructure. This investment should include monies for child care, education, job training, health care, etc.
- Policy: Joint ventures between the public, private and nonprofit sectors should be encouraged.
- Policy: Every General Plan should include a Economic Development Element which would include an analysis of the existing economy together with goals, objectives and strategies to encourage community-based economic development. Nonprofits should play a major role in implementing the strategies that are set forth in the Economic Development Element.
- Policy: A Community Impact Report should be mandated by the state. The purpose of the CIR would be to provide for full and complete disclosure regarding socioeconomic impacts of growth and development on a community. In considering social impacts, there needs to be specific criteria so that social impact analysis is not used to stop low income housing development.
- Policy: There should be a transportation/air quality/housing links with a jobs/balance. State planning and transportation policy should support this balance.

ECONOMIC DEVELOPMENT POLICIES PROPOSALS UNDER DISCUSSION

The Role of the State

1. The state should be committed to working with regional and local agencies, the private sector, and the nonprofit sector to encourage the development of expanded job opportunities for the population, consistent with state goals, regional strategies and local comprehensive plans.
2. The state should be committed to reforms in regulatory activities, spending priorities, and tax policies that will have a beneficial effect on:
 - o Economic opportunities for all segments of the population.
 - o Productivity of businesses, including reduction of unnecessary costs and work imposed on them.
 - o Research and development investment that improves competitiveness and productivity.
 - o Making market investment in low income and inner city jurisdictions economically attractive.
 - o Encouragement of environmentally sensitive and cost effective business practices.
 - o Location of essential but problematic land uses.
 - o Support for community-based and other economic development activities.
 - o Provision of affordable housing to meet the needs of a growing and culturally diverse population.
3. The state should be committed to creating economic opportunities for its residents in the most environmentally responsible manner possible.
4. State tax and expenditure policies should raise required revenues while supporting desirable social and economic development. State tax policies should support:
 - o Job training and retraining for community residents.
 - o Investment in inner city communities.
 - o Research and development to improve productivity and competitiveness.
 - o Maintenance and creation of community-based economic development activities and encouragement of racial and ethnic business development.
 - o Continuation of agricultural production.
 - o Transportation and child care assistance programs for employees, particularly needed in low income and inner city communities.
 - o Environmentally sensitive business practices.
 - o Affordable housing.
5. State regulatory agencies should be required to assess the impacts of new business regulations on economic development, economic opportunity, and productivity of existing businesses. Where there are significant negative impacts agencies should be required to consider alternatives and mitigation measures.

ECONOMIC DEVELOPMENT POLICIES, continued

The Role of Regions and Localities

1. The Regional Strategies of the Regional Growth Management Councils (RGMC) should include strategies for identifying economic development needs and economic opportunity objectives. The Regional Strategy should address:

- o Potential conflicts between areas in the region seeking economic development.
- o Disincentives due to government regulations, especially with regard to different requirements enacted by a multiplicity of jurisdictions in the region.
- o How economic development and opportunity will be supported by the other strategies relating to development, infrastructure, and affordable housing.
- o How economic development activities will be accommodated in the context of environmental resource protection and attainment of air quality standards.
- o How agricultural activity will be sustained where agriculture is an important economic component of the region.
- o How social equity objectives and community impact mitigation will be integrated in economic development decision making.

2. Economic development and economic opportunity should be incorporated into the Comprehensive Local Plan. This component should:

- o Analyze economic development and employment trends, strengths, weaknesses, and opportunities.
- o Specify the local government's objectives for economic development and for encouraging economic opportunity of the existing and projected population.
- o Layout a strategy for achieving the above objectives that, among other issues, addresses:
 - Obstacles to access to jobs by existing residents.
 - Revitalization of neighborhood commercial centers.
 - Reduction of environmental impacts of business on neighborhoods.
 - Incentives for new and expanded businesses to provide job training for existing residents.
 - Incentives for creation of small businesses and community-based businesses.
 - How other policies of the Comprehensive Local Plan such as housing, social equity, capital facilities, agricultural land protection, resource protection, etc. relate to achieving economic development and economic opportunity objectives.

Affordable Housing

Draft, June 25, 1991

DESCRIPTION OF THE PROBLEM

There is very little that is more fundamental in life than having a home. For many Californians, however, finding a decent, safe, affordable place to call home is difficult, if not impossible.

Over the last twenty years, skyrocketing housing costs in California have far outpaced incomes. This has placed affordable rental housing beyond the reach of thousands of handicapped people, senior citizens, the homeless and other families with low incomes, and has placed homeownership out of the question for many teachers, firefighters, nurses and other middle income families.

Increasingly, the public has come to understand that the housing problems of the elderly renter, the homeless and young families are all interrelated, and that action needs to be taken to increase and preserve an adequate supply of housing.

If the state is to have a vital economy it has to have an adequate supply of housing that can be afforded by people of all incomes. Partially because of the lack of such affordable housing, more and more businesses continue to leave the state, are unwilling to move here, or cannot expand their existing operations within the state.

One of the fundamental conclusions of the Growth Management Consensus Project is that the provision of an adequate supply of housing affordable to persons very low, low, and moderate incomes is an essential building block of any effort to manage the state's growth.

Homeownership Opportunities Are Declining

The state housing crisis has grown progressively worse in recent decades, largely because incomes have not kept up with skyrocketing housing costs. For example, consider the following facts related to homeownership:

- According to the California Association of Realtors (CAR), approximately four-fifths of the population cannot afford to buy a median priced home. Families must increasingly rely on two incomes to purchase a home in the high-cost California market.
- According to CAR, in 1980, the median home sales price in California was eight times the median income of renter households (who are the state's prospective first time homebuyers).
- According to a 1991 study by the National Association of Homebuilders, of the top ten areas in the country with the highest homeownership costs, all ten in California. Of the top 25 high cost areas, 13 are in California.
- According to CAR, California has one of the lowest rates of homeownership in the nation. Since 1980, the home ownership rate in California has declined from 58.8% to 55.6% in 1990.

The Shortage of Rental Housing and Number of Homeless People are Increasing

The homeless are only the most visible part of a much deeper housing problem that affects many lower and middle income people. For example, consider

the following facts related to rental housing and the homeless:

- Many renters in California pay over 50%, 60%, 70% or more of their income for rent. According to the State Department of Housing and Community Development, over 598,000 households in 1980 lived in overcrowded housing, but by 1990 this had increased to 1,275,000 households, or 12.3% of all households. More than a million housing units need to be rehabilitated.

- According to the State Department of Housing and Community Development between 1970 and 1990, median gross rents in California soared by 397%. Over the same 20 years, median family income increased by only 270%.

- According to a 1991 study by the National Center for Budget Priorities, of the top 7 major metropolitan areas in the United States with the highest rents, 5 are in California. Of the top 19 highest rent areas in the United States, 8 are in California.

- According to a 1988 study by the National Center on Housing Priorities, although California has the highest rental costs in the United States, the proportion of low income families in the state receiving housing assistance is the 49th lowest in the United States (just ahead of Utah).

- Up to an estimated 150,000 Californians, according to the Legislative Analyst, are homeless. According to the National Conference of Mayors, families with children, who make up approximately 1/3rd of the homeless population, are the fastest growing population group among the homeless.

Without Corrective Action, The Housing Crisis Is Likely To Worsen

The housing problem in California has gotten progressively worse over the past twenty years and can be expected to continue to worsen for a number of reasons, including the following:

- The housing crisis has been exacerbated by a substantial reduction in federal low income housing subsidies in the last decade.

- Without a source of government subsidy or other incentives, the private market cannot provide housing for most low and very low income households. According to a 1990 report by the California Coalition for Rural Housing, the state met only 16% of its need for low- and very low-income housing in California in the prior five years.

- Nonprofit housing agencies lack sufficient operating support and capacity to provide all of the lower income housing needed.

- The shortage of rental housing could increase dramatically if 117,000 units of privately-owned, federally-subsidized housing have their federal subsidy contracts expire or terminated as expected over the next several years.

- Skyrocketing housing costs, when combined with decreasing or stagnating incomes, force many people into substandard, overcrowded, unaffordable housing, and increase the incidence of economic and racial discrimination.

- During past decades, land speculation has driven the cost of housing higher throughout the state.

- A general lack of infrastructure to support housing continues to reduce the amount of housing that is built, as well as to increase the cost of providing new housing because of the use of fees to pay for infrastructure.

- The Not In My Back Yard (NIMBY) syndrome and the response of some elected officials to NIMBY concerns, continues to defeat or inhibit many housing developments.
- A lack of timeliness and certainty regarding the local development approval process is increasing the costs and affecting the ability to provide housing to people with very low, low and moderate incomes.
- Local land use referenda are limiting the ability of local governments to plan comprehensively for affordable housing.
- State housing planning law has been virtually ignored because there are no enforcement mechanisms, creating a situation in which some communities meet their needs for affordable housing but many other communities can't or won't.
- Article 34 of the State Constitution, which requires voter approval of certain low income housing developments, continues to be a burdensome and unnecessary impediment to meeting the state's affordable housing needs.

The Consequences For California's Future

- The state of California cannot prosper when a large portion of the population: is locked in poverty because of the lack of employment opportunities; has few options for education, health care and job training; has no choice but to raise their children in unsafe neighborhoods; are forced to live in unsanitary, overcrowded conditions; and must pay such a large percentage of their income for housing that they cannot meet other essential needs. Any state growth management strategy that does not seriously address these social and economic issues will be unsuccessful.
- The lack of affordable housing in many communities has led to a "chase for affordable housing" that causes shifts in population from the more unaffordable urban centers to the more affordable suburban and rural areas. This "sprawl" or "leapfrog" form of development compounds the problem of social and economic segregation and well as increasing problems of traffic congestion, air pollution, and destruction of resource lands.
- In the long term, the economic health of the economy depends upon the availability of an adequate housing supply. The state cannot grow and its people cannot prosper economically without an adequate supply of affordable housing

GUIDING PRINCIPLES

1. The state of California must ensure that a sufficient supply of affordable housing is provided to house all of its residents.
2. The state should invest adequate revenues committed over a 20 year time frame, to provide the housing assistance needed by low and very low income households, and to meet the existing housing need promptly and to meet the need for new housing anticipated over the next 20 years. State and local governments should provide the subsidies necessary to make the percentage of units needed by low and very low income households affordable to those households. The state should

develop a long term funding source for low and very low income housing needed to meet state growth management strategies.

3. Each city and county should be required to meet its fair share of regional housing needs for all economic segments of the population, including low and very low income households.

4. In order to meet its housing need, each city and county should be required to identify an adequate number of sites for housing, with necessary infrastructure, for all income groups, and should be required to make maximum use of local, state and federal funding and to use its regulatory and taxing power to meet its housing need.

5. Each city and county should be required to ensure that housing opportunities are made available for all people regardless of race, religion, sex, sexual preference, marital status, family status, disability, ancestry, national origin, or color.

6. Each city and county should promote a reasonable housing supply to meet existing and projected employee needs.

7. Greater incentives and sanctions are needed to ensure that local government housing goals are actually reached within specified periods of time.

8. Very low and low income housing should be exempt from all developer fees, including environmental mitigation fees levied by any single purpose agency, and a revenue source should be identified to replace funds lost to local government from such exemption.

RECOMMENDATIONS

I. Determination of Housing Need and Allocation of Fair Share

1. The state should continue to allocate the regional share of the state's housing needs to Regional Growth Management Councils (RGMCs) and subregions, and each local government should be allocated its share of that need. The regional, subregional and local fair share allocations should continue to be based upon existing and projected need, and to be broken down by income categories of very low, low, moderate and above moderate incomes.

2. In making regional housing need allocations, the RGMC should continue to, based on available data, take into consideration: the market demand for housing; employment opportunities in the city, county and region; the availability of suitable sites (in the context of existing and alternative zoning), including the protection of agricultural lands and other natural resource lands, and geological and topographic restraints on the production of housing; the availability of public facilities; commuting patterns; type and tenure of housing need; the housing needs of farmworkers; and the potential loss of subsidized housing units.

3. Local governments should continue to have an opportunity to determine and submit to the RGMC their own estimate of their share of the regional housing need, and to consult with the RGMC regarding determinations of fair share allocation. The RGMC should continue to be required to consider recommendations, comments, available data, and accepted planning methodology submitted by local governments before making a final determination on the local government's allocation of the regional housing need. The state and RGMC should continue to use the timetable in existing law for prompt resolution of any conflicts over allocations. The RGMC should continue to be required to submit to the state and to local governments the assumptions and methodology used in allocating the regional need to each city and county. The state should review the RGMC's methodology and allocation of fair share housing needs for compliance with state criteria, and should revise the methodology or allocations if the state determines they are not adequate or appropriate, based on established assumptions and methodology.

4. A county should continue to be able to have its fair share allocation reduced if: a city or cities within the county agree to increase their shares; the transfer only occurs within the county; the current total housing needs allocation for the county and cities within the county is maintained; the reduction in share is proportionate across income groups; and the RGMC approves the transfer. A RGMC should be able to reduce a city's fair share allocation for moderate and above moderate income housing if: the total housing needs for the region is not reduced; if the transfer only occurs within a county; and if the local government's allocation is not reduced below the total of its existing and projected need. For these purposes, the existing need would be based on a formula of: vacancy rates; plus removal of units from the market; plus the number of households overpaying for housing. The projected need would be defined as the demand created by new employment, plus the percentage of natural increase that is expected to remain in the region, plus the expected level of immigration.

5. The RGMC should ensure that each city and county meet the city or county's fair share of the regional housing need and its goals for preservation and rehabilitation of housing, and do so in a manner that is timely and consistent with the locality's comprehensive local plan. Each city and county should have a fair share allocation process for each area of the city or county that ensures that housing opportunities for low and very low income people are available throughout the city or county, and that the limitation of low and very low income housing opportunities in particular areas is avoided. The city or county's goal for new housing should include any additional growth, broken down by income levels, anticipated by the local government in excess of its fair share allocation. If the local government exceeds its fair share of moderate or above moderate income housing by a significant amount, its fair share need for low and very low income housing should be recalculated to reflect the greater need for low and very low income housing, and additional sites for the housing should be identified.

6. Each city and county should be have a Comprehensive Local Plan, which should be required to have a housing component. The Local Plan should include an assessment of housing needs, including the needs of special population groups like the homeless, the disabled and farmworkers. In order to meet its fair share requirements, each city and county should continue to be required to have adequate programs with timelines that ensure that the housing need is met, plus an analysis of any constraints in meeting that need and a plan to overcome those constraints. Each city and county should identify an adequate number of sites for housing for all income groups. The sites identified should have appropriate zoning, density and physical development standards to enable fair share requirements to be achieved. The number of sites that have to be identified should be based on a formula that accounts for the historical rate of availability of sites for purchase and development. The sites identified should be consistent with all other growth management policies, for example, policies encouraging compact development and protecting identified environmental resource areas from development.

7. In the process of identifying sites for housing for all income groups, each city and county should: a) encourage housing in locations that enables people with a mix of incomes to obtain housing, and that permits transit access to likely or projected employment areas; encourage compact, transit-accessible patterns of urban development that are designed to overcome negative public perceptions of higher density development by stressing aesthetics, design, quality of construction, amenities and creative combinations of permitted uses; and c) coordinate its housing programs with child care, health care, job training and other social service programs.

8. Each city and county should continue to be required to identify a goal for housing rehabilitation and preservation that should be based upon the local government's determination of the need for rehabilitation and preservation of subsidized and private housing. The RGMC should review and comment on any inadequacies found in the local government's identification of its rehabilitation and preservation need, and the state should review and revise the RGMC's identification of its rehabilitation and preservation need if they are not adequate or appropriate.

II. Mixed Income Housing Opportunities

9. Each city and county should provide in its relevant planning documents that certain levels of mixed income housing opportunities should be reached and maintained within specified periods of time in any new or redeveloped housing. The goal of the plan should be to ensure that housing opportunities for all income groups are available throughout the city or county and that the limitation of low and very low income housing opportunities in particular areas is avoided.

10. The mixed income housing opportunities plan should provide that at

least 20 percent of the single and multifamily housing units developed or redeveloped in a city or county would be available at affordable housing cost to households with incomes at 80% of median or less. The local government should adopt zoning, density, parking, reduced physical development standards, fee reductions and other policies that allow the developer to provide the targeted units without impairing financial feasibility.

11. The plan should provide that local government would have the right to provide additional subsidies, incentives or arrange joint ventures with nonprofit developers, so that housing opportunities for very low income households could be provided in at least half the targeted units. The plan also should provide for long term affordability of the targeted units, by requiring that the rental units would be perpetually restricted to occupancy by eligible households, and by providing for a recapture of a portion of any appreciation and any subsidy through an equity sharing program for ownership units. The local government would have a right of first refusal to purchase the targeted single family units upon resale.

12. Targeted units could consist of smaller units on smaller lots than in the rest of the development, and could have different interior amenities, but they would have to have the same proportion of bedroom sizes, be architecturally consistent and have similar exterior appearance to the non-targeted units in the development.

13. The local government could reduce the percentage of units targeted to low income households in a housing development if, after adopting zoning, density, parking, reduced physical development standards, fee reductions and other policies, it finds that the developer is not able to provide the targeted units while maintaining financial feasibility. If the percentage of targeted units needs to be reduced, it should be reduced only by the amount needed to obtain financial feasibility. The RGMC should establish assumptions and methodology for use by local governments in reaching determinations of the percentage of targeted units that can feasibly be provided to low income households, and should review and comment on the local government's determination of that percentage. The state may review and revise that methodology or determination if it is not adequate or appropriate.

14. The local comprehensive plan should specify how the objectives of the mixed income housing opportunity plan will be reached. The RGMC should, every two years, review each city's and county's compliance with its mixed income housing opportunities plan and determine if the city and county is in compliance.

III. Incentives and Sanctions To Achieve Housing Need

15. Each city and county should identify the goals, quantified objectives, policies, resources, programs and timetables that will ensure that it achieves its regional fair share housing need, and its housing rehabilitation and preservation

goals.

16. There should be greater incentives and sanctions than available under existing law to ensure that local government housing needs and objectives are actually achieved within specified periods of time. Compliance should be reviewed every two years, and noncompliance should trigger enforcement measures that are designed to be significant enough to ensure compliance in meeting housing goals. The RGMC should follow a timetable that ensures prompt determinations of compliance, and the quickest possible local compliance with housing goals.

17. Sanctions would be tiered based upon: a) the income category of the housing, with the more severe sanctions being imposed for failure to meet very low and low income housing needs; b) the level of noncompliance, with sanctions increasing in severity the more a local government is out of compliance; and c) whether the housing goal relates to new construction, rehabilitation, preservation or provision of mixed income housing.

18. Sanctions would be imposed if communities are found by the RGMC to be out of compliance with their housing needs. However, a local government would not be found in non-compliance unless the local government demonstrates that the reason for its failure is beyond its control. A local government that seeks to demonstrate that its failure to meet its needs is beyond its control, would have to demonstrate that: a) it has not turned down any housing developments (or has not taken more than 1 year to approve such a project, or not unduly conditioned such a development so that it is rendered financially infeasible; and b) would have to show evidence (letters of rejection, for example) that, as it relates to low and very low income housing goals, the city or county has: 1) applied for and made a maximum effort to secure state and federal housing financing and subsidy funds and found it infeasible and inappropriate to obtain such funds; 2) has made a maximum effort to use existing local funds including moneys in a Low and Moderate Income Housing Fund of a redevelopment agency if the locality has established a redevelopment project area, and "Growth Management Incentive Funds" made available by the state; and 3) has made a maximum effort to provide significant additional amounts of local funds for housing through such mechanisms as creating a housing trust fund, appropriating local general fund money, and obtaining local voter approval of a general obligation bond on the local ballot, and found it infeasible and inappropriate to provide such funds; and c) that the city or county is in compliance with all state affordable housing laws (density bonus, second units, etc), and has an approved Comprehensive Local Plan. The state Department of Housing and Community Development should, every two years, review the RGMC's methodology for its determination of each city's or county's compliance, and may revise the methodology or determinations if it is inadequate or inappropriate.

19. Each city and county should have annual goals for meeting its housing need and should report annually to the RGMC and the state, on its progress in meeting those goals. Each city and county should hold at least one local public

hearing before submitting its annual report. RGMCs should review the performance of each local government every year, and make a determination regarding compliance every two years.

20. To meet its housing needs, the local government would have to demonstrate that the development, preservation and rehabilitation is beyond the planning phase and is in some phase of actual development or predevelopment. To be in compliance, the city and county would have to meet 75% of its goals for housing for all income groups, and all housing types.

21. Each city and county would receive an allocation of "Growth Management Incentive Funds" (GMI Funds) as an incentive to meet its housing goals. (For further discussion of GMI Funds, see discussion in air quality section).

22. If a city or county is found to be in compliance with its housing goals, it would receive an increased annual allocation of "GMI Funds," in proportion to the extent by which the local government exceeds 75% of its goals. If the city or county is in compliance and also provides significant locally generated housing funds it would, in addition, receive a preference for state loans and grants.

23. If a city or county is found to be in noncompliance with its housing rehabilitation goals, the RGMC would direct the city to either: 1) strengthen its code enforcement or 2) its receivership policies or 3) to take other steps to meet its goals. If the city is found to be in noncompliance with its housing preservation goals, the RGMC would direct the city to either: 1) strengthen its demolition ordinances, 2) adopt policies to preserve assisted housing units whose federal subsidy contracts are about to expire or be terminated, or 3) take other steps to meet its preservation goals.

24. If a city or county does not have a Comprehensive Plan or its Plan is determined to be in noncompliance, the RGMC and local government would 1) engage in a conflict resolution process, and 2) if that is unsuccessful, would impose sanctions, and 3) if that is unsuccessful, would assume the powers of the local government for purposes of preparing a plan. If a city or county is found to be in noncompliance with its fair share housing goals for very low, low, or moderate income housing (or its mixed income housing opportunity plan), the RGMC and local government would 1) engage in a conflict resolution process, and 2) if that is unsuccessful, the RGMC would impose sanctions, and 3) if that is unsuccessful, would assume the powers of the local government for purpose of meeting the housing goals. The RGMC would follow a timetable that ensures prompt determinations of compliance and the quickest possible local compliance with housing goals.

25. A local government that has met 45% to 75% of its regional need for very low, low or moderate income housing would be in "serious" noncompliance, and each of the following sanctions would be imposed: a) the RGMC would direct the local government to bring its local plan into compliance within 120 days, and

require that a draft revised plan be submitted to the RGMC within 45 days of the determination of noncompliance; b) if the local government failed to bring its local plan into compliance, the state land use court could hear cases relating to denials, lengthy delays and unnecessary conditioning of any very low, low or moderate income housing development and authorize the court to mandate the approval of all applications for building permits and subdivision maps for residential housing for very low, low and moderate income households; and c) the local government would receive a reduced allocation of "Growth Management Incentive Funds," in proportion to the extent by which the local government fails to meet its goals.

26. A local government that has met 25% to 44% of its regional need for very low or low income housing would be in "severe" noncompliance, and in addition to being subject to each of the sanctions for "serious" noncompliance, the following sanctions also would be imposed: a) the RGMC would direct the local government to identify, if it has not already done so, specific, additional sites for low and very low income housing developments; and b) the local government would be ineligible to receive state loans and grants, except funds for very low or low income housing, water and sewer funds needed for serious and immediate health problems, and disaster aid.

27. A local government that has met 0% to 24% of its regional need for very low or low income housing would be in "extreme" noncompliance, and in addition to being subject to each of the sanctions for "serious" or "severe" noncompliance, the following sanctions also would be imposed:

a) the RGMC would suspend the authority of the city or county to issue any category of housing, commercial or industrial permits, and all other related permits, to grant zoning changes including variances, and to grant subdivision map approvals, except housing developments for low and very low income people.

b) the RGMC would approve all applications for building permits and subdivision maps for residential housing for low and very low income households that meet minimum criteria, and, if the local government has failed to identify an adequate number of appropriate sites, the RGMC could assume the power of the local government and identify an adequate number of appropriate sites for residential housing for low and very low income households.

28. There would be a state land use court that, for purposes of hearing cases related to housing plans and implementation of housing goals, would hear appeals relating to denials, delays or conditioning of low income housing developments in communities in severe or extreme noncompliance with their low income housing goals.

29. In any action to challenge local government noncompliance, if the RGMC has found that the local government is in noncompliance with the requirements for having an adequate Comprehensive Local Plan or with the requirement for implementation of its Local Plan, there would be a rebuttable presumption of the

invalidity of the plan or the plan implementation. In addition to the remedies available under state housing planning law, the court would fashion sanctions, including those available to the RGMC, and would order court costs and attorneys fees to be paid to the prevailing party, including third party litigants. The court's determination of the appropriateness of particular sanctions would not be limited by the regional body's determination of which sanctions are appropriate.

30. A RGMC would be deemed in noncompliance if its regional housing strategies are not consistent with state housing goals or if its implementation of its strategies are inadequate or inappropriate. There should be variable standards for determining noncompliance, and variable sanctions depending upon the degree and nature of noncompliance. The only issue in such a review would be the performance of the region as a whole, unless the state finds that the regional strategy creates an adverse impact on the ethnic composition and demographic diversity of the region or a city or county in the region or that the region has not appropriately disbursed housing throughout the region, in which case there would be an enforcement mechanism for review and correction of this adverse regional or local impact. In any action to challenge compliance by a RGMC, if the state has found that the RGMC is in noncompliance, there would be a rebuttable presumption of the invalidity of the strategy or its implementation. In addition to the remedies available under state housing planning law, the court would fashion sanctions, including those available to the state and RGMC, and would order court costs and attorneys fees to be paid to the prevailing party, including third party litigants. The court's determination of the appropriateness of particular sanctions would not be limited by the regional body's determination of which sanctions are appropriate.

31. If a RGMC fails to adopt, implement or enforce housing goals, including the requirements for allocation of regional housing need, determinations of the adequacy of Comprehensive Local Plans or determinations every two years of the adequacy of Plan implementation, the State Department of Housing and Community Development (HCD) shall engage in a conflict resolution process with the region, and if that is unsuccessful, HCD would impose sanctions. Where sanctions are unsuccessful and the region has established a persistent pattern of not meeting its housing goals, HCD would assume the powers of local or regional agencies for purposes of meeting those housing goals. HCD should monitor regional strategies and the implementation of those strategies and have contingency compliance measures ready in cases in which a RGMC has been found in noncompliance, and in which conflict resolution and sanctions have failed to achieve compliance.

IV. Funding for Affordable Housing

32. The state of California should invest adequate revenues, committed over a 20 year time frame, to provide the necessary housing assistance (including new construction, acquisition and rehabilitation, preservation, and rental assistance) to

meet the need for existing housing assistance promptly and to meet the need for new housing anticipated over the next 20 years.

33. State and local governments should provide the subsidies necessary to make the percentage of units needed by low and very low income households affordable to those households. The state should develop a long term funding source for low and very low income housing needed to meet state growth management strategies. To achieve this goal, the state should set a minimum goal of 2% of the state budget to be invested annually in housing assistance, assuming the federal government returns to its historical role of providing 75% of the housing subsidy needed. Local governments also should set a minimum goal of 2% of their budget to be invested annually in housing assistance.

34. The state should prepare a 20 year affordable housing investment plan, biannually updated, to guide its investment. The investment plan should:

a) be consistent with demonstrated needs and growth management policies. For example, state assistance should be targeted to low and very low income households who the private market cannot reach without subsidy.

b) include a long term funding plan and identify a reliable, annual source of financing for housing assistance.

c) include proposals for partnerships with public agencies, the private sector, and community based nonprofit housing corporations to achieve leveraging of state tax dollars.

35. Each Comprehensive Local Plan should include a 20 year housing assistance plan, updated biannually, to show how affordable housing needed to implement the local plan should be provided. The plan should include: who will be responsible for providing the housing assistance, how it will be financed and when, and measures to ensure efficient delivery.

36. Each local government should have an affirmative obligation to raise local funding for housing as long as there is an unmet need for housing. There should be a presumption that the failure of a local government to meet its housing needs is not beyond the local government's control if the local government 1) is not spending the equivalent of 2% of its budget on housing, 2) has not adopted a housing trust fund, and 3) is not spending all of its redevelopment agency low income housing setaside funds,

37. Housing assistance planning at all levels of government should be expanded to include systematic evaluation of opportunities to improve the efficiency in delivering housing assistance. Local, regional and state housing agencies should be required to coordinate their work and to develop eligibility criteria for housing assistance programs that are consistent, and that encourage leveraging of state and local tax dollars. The state should seek cooperation from federal housing agencies in obtaining similar coordination and leveraging.

38. Very low and low income housing developments should be exempt from all developer fees, including environmental mitigation fees levied by any single purpose agency. A revenue source should be identified to replace funds lost to local government from such exemption. A development that is less than 100% low and very low income would have its fees based upon the proportion of very or very low income units in the development.

39. The state should authorize local governments to pass general obligation bonds for housing by a majority vote of the electorate.

40. Article 34 of the State Constitution, which requires a vote of the people before certain low income rental housing developments can be approved, should be modified to put the burden on opponents of such developments to collect signatures and place measures on the local ballot to stop such developments.



BUILDING INDUSTRY ASSOCIATION OF KERN COUNTY

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STATEMENT BY THE BUILDING INDUSTRY ASSOCIATION OF KERN COUNTY
THE GOVERNOR'S INTERAGENCY COUNCIL ON GROWTH MANAGEMENT,
WEDNESDAY, JULY 24, 1991 - BY JEFF WILLIAMS, PRESIDENT

MEMBERS OF THE COUNCIL, MY NAME IS JEFF WILLIAMS AND I AM
PRESIDENT OF THE BUILDING INDUSTRY ASSOCIATION OF KERN COUNTY. IT
IS INDEED A PRIVILEGE TO ADDRESS YOUR BODY TODAY AND WE ARE
APPRECIATIVE OF THE OPPORTUNITY TO DO SO.

OUR INDUSTRY PROVIDES ONE OF THE MOST FUNDAMENTAL
NECESSITIES OF LIFE, THAT OF HOUSING. DECENT, SAFE AND
AFFORDABLE HOUSING IS BECOMING A VANISHING DREAM FOR MORE AND
MORE CALIFORNIANS.

ACROSS THE STATE WE FIND A SERIOUS HOUSING SUPPLY AND DEMAND
IMBALANCE. STATISTICS FROM THE CONSTRUCTION INDUSTRY RESEARCH
BOARD TELL US THAT 1990 TOTALS FOR NEWLY CONSTRUCTED HOUSING
UNITS STOOD AT 164,394, DOWN 30.8% FROM THE PREVIOUS YEAR. THIS
IS THE LOWEST ANNUAL TOTAL SINCE THE RECESSION YEAR OF 1982. THE
PROJECTIONS FROM 1991 INDICATE THAT, AS A STATE, WE WILL PRODUCE
130,000 NEW UNITS. THIS IS LESS THAN HALF OF WHAT WE CURRENTLY
NEED TO MEET DEMAND. THE BOTTOM LINE IS THAT, AS A STATE, WE ARE
NOWHERE NEAR ACCOMMODATING THE NEED FOR HOUSING BROUGHT ON BY
CURRENT GROWTH DEMANDS. LAST YEAR ALONE OUR STATE ADDED NEARLY
800,000 NEW RESIDENTS, OVER 2,100 NEW PEOPLE PER DAY, EVERY DAY
OF THE YEAR.

ALTHOUGH STATEWIDE DEMAND IS FALLING SHORT, HERE IN KERN COUNTY WE ARE IN THE UNIQUE POSITION OF MAINTAINING NOT ONLY ADEQUATE SUPPLIES OF HOUSING BUT AT AFFORDABLE PRICES.

AN UNDERSTANDING AND APPRECIATION OF THE DISTINCT DIFFERENCES IN VARIOUS REGIONS OF THE STATE ARE PARAMOUNT TO THE DEVELOPMENT OF A STATEWIDE GROWTH MANAGEMENT POLICY.

ALTHOUGH QUITE DIVERSE, ALL REGIONS IN CALIFORNIA SHARE SOME COMMON RESTRAINTS TO HOUSING SUPPLY AND AFFORDABILITY. SINCE PROP. 13, DIRECT FEES AND EXACTIONS IMPOSED BY LOCAL GOVERNMENTS UPON NEW DEVELOPMENT, TO FINANCE INFRASTRUCTURE NEEDS, HAVE BECOME THE SINGLE GREATEST NEW SOURCE OF REVENUE. IN MANY AREAS OF CALIFORNIA FEES AND EXACTIONS ARE BETWEEN 10-40% OF THE COST OF A NEW HOME. OTHER DIRECT IMPEDIMENTS TO THE PRODUCTION OF AFFORDABLE HOUSING INCLUDE EXCESSIVE REGULATIONS AND BUILDING STANDARDS, PROCESSING DELAYS AND ZONING RESTRICTIONS.

ALTHOUGH HERE IN KERN COUNTY FEES REPRESENT BETWEEN 6 TO 8% OF THE COST OF A NEW HOME, PRESSURES ARE EVER PRESENT TO RAISE THOSE LEVELS CONSIDERABLY. DEFINING A COMPREHENSIVE GROWTH MANAGEMENT STRATEGY WITH A STATEWIDE PERSPECTIVE, MUST, IN THE OPINION OF THE BIA OF KERN COUNTY, CONTAIN SEVERAL KEY ELEMENTS. THOSE WOULD INCLUDE THE FOLLOWING:

*** TO MEET THE DEMAND FOR AFFORDABLE HOUSING ANY GROWTH MANAGEMENT STRATEGY MUST LOOK FIRST TO MARKET-BASED SOLUTIONS WHICH ALLOW FOR CONSUMER CHOICE AND PREFERENCE. HOUSING SUPPLY MUST BE ALLOWED TO CATCH UP TO DEMAND, WHERE APPLICABLE, AND EXCESSIVE FEES AND REGULATIONS MUST BE BROUGHT UNDER CONTROL.

*** POLICIES DEFINED IN THIS GROWTH STRATEGY MUST BE OF A BROAD ENOUGH NATURE AS TO GUIDE DEVELOPMENT RATHER THAN PLACE BURDENSOME RESTRICTIONS AND CONTROLS. THE PROPOSAL COULD SET BROAD DEVELOPMENT AND CONSERVATION POLICIES WHICH LOCAL GOVERNMENTS, THROUGH THEIR GENERAL PLANS, WOULD DECIDE HOW BEST TO IMPLEMENT.

*** THE BIA OF KERN COUNTY CANNOT SUPPORT THE CREATION OF AN ADDITIONAL LAYER OF REGULATORY BUREAUCRACY AS A COMPONENT OF A STATEWIDE MANAGEMENT STRATEGY. ADDITIONAL AGENCY REVIEW WILL ONLY EXACERBATE THE TIME DELAYS AND EXPENSE THAT ADD TO THE COST OF THE HOUSING PRODUCT.

THE STATE SHOULD CONSIDER INTERNALLY CONSISTENT AND INTEGRATED STATE WIDE GOALS AND POLICIES WHICH SERVE TO PROVIDE A CLEAR AND UNIFORM DIRECTION TO LOCAL GOVERNMENTS. FUTURE STATE GROWTH MANAGEMENT POLICIES SHOULD BE IMPLEMENTED AT THE LOCAL LEVEL OF GOVERNMENT UTILIZING A SYSTEM OF FISCAL INCENTIVES AND DISINCENTIVES TO ENSURE COMPLIANCE. WHILE IT IS TRUE THAT MANY DECISIONS MADE BY LOCAL GOVERNMENTS HAVE IMPACTS WHICH TRANSCEND LOCAL BOUNDARIES, AT THIS TIME WE CANNOT ENDORSE A NEW AND ADDITIONAL LAYER OF GOVERNMENT AS THE SOLUTION.

*** AS PART OF ANY GROWTH MANAGEMENT SOLUTION, LOCAL GOVERNMENTS MUST BE PROVIDED WITH ADEQUATE REVENUES AND REVENUE GENERATING AUTHORITY SO THAT DECISIONS RELATED TO GROWTH ARE NOT DRIVEN PRIMARILY BY THE NEED TO RAISE

REVENUES TO PAY FOR SERVICES. AN ADEQUATE AND RESPONSIVE REVENUE BASE TO MANAGE THE STATE'S GROWTH WILL REQUIRE BOTH MORE EFFICIENT USE OF REVENUES AND NEW REVENUE SOURCES THAT ARE NOT DISINCENTIVES TO ECONOMIC DEVELOPMENT OR TO OUR OVERALL QUALITY OF LIFE. IT IS CRITICALLY IMPORTANT THAT OUR REVENUE GENERATING SYSTEM BE BASED UPON PRINCIPLES OF EQUITY AND A FAIR SHARING OF BENEFITS AND COSTS, EFFICIENCY, PRODUCTIVITY, ECONOMIC VITALITY, JOB CREATION AND THE CREATION OF MARKET BASED INCENTIVES AND DISINCENTIVES TO MEET OUR GROWTH MANAGEMENT OBJECTIVES.

*** FUTURE STATE GROWTH POLICY MUST BE CONSISTENT WITH MAINTAINING A HEALTHY OVERALL STATE BUSINESS ENVIRONMENT. WE MUST NEVER LOSE SIGHT OF THE NEED TO PROVIDE A SOUND ECONOMIC CLIMATE THAT ENCOURAGES JOB CREATION, BUSINESS RETENTION AND EXPANSION.

*** A COMPREHENSIVE ASSESSMENT OF THE PHYSICAL INFRASTRUCTURE REQUIRED TO SUPPORT AND ACCOMMODATE OUR POPULATION GROWTH SHOULD BE PREPARED. TO ACCOMPLISH THIS, CAPITAL FACILITIES PLANNING AT ALL LEVELS OF GOVERNMENT SHOULD BE IMPLEMENTED WHICH ENCOURAGES EFFICIENCIES IN THE PROVISION AND USE OF CAPITAL FACILITIES. THE PLAN SHOULD INCLUDE, A NEEDS ASSESSMENT FOR EACH AREA OF PHYSICAL INFRASTRUCTURE, THE IDENTIFICATION OF FINANCING SOURCES TO BE USED FOR THESE FACILITIES AND STRATEGIES TO IMPROVE EFFICIENCY OF THE USE OF NEW AND EXISTING FACILITIES.

THE STATE MUST BE COMMITTED TO REFORMING REGULATORY ACTIVITIES, SETTING SPENDING PRIORITIES, AND ESTABLISHING TAX POLICIES WHAT HAVE A BENEFICIAL EFFECT UPON ALL ECONOMIC SEGMENTS OF THE POPULATION.

THE STATE MUST ALSO BE COMMITTED TO INCREASING BUSINESS PRODUCTIVITY THROUGH REDUCTION OF UNNECESSARY COSTS, RESEARCH AND DEVELOPMENT INVESTMENT THAT IMPROVES COMPETIVENESS AND PRODUCTIVITY PLUS INVESTMENT IN LOW INCOME AREAS, OUR INNER CITIES AND THE PROVISION OF AFFORDABLE HOUSING.

THE BIA OF KERN COUNTY APPRECIATES THE OPPORTUNITY TO ADDRESS THIS EXTREMELY IMPORTANT ISSUE AND COMMENDS YOUR COUNCIL FOR CONDUCTING HEARINGS SUCH AS THESE IN ORDER TO GATHER INPUT FROM EFFECTED INDUSTRY.

THANK YOU.

Castle & Cooke

DEVELOPMENT CORPORATION

GROWTH MANAGEMENT PERSPECTIVES

Presented By

Glen T. Hierlmeier, President
Castle & Cooke Development Corporation

For The

Council on Growth Management Hearing

Bakersfield, California

July 24, 1991

PREFACE

Good morning, Mr. ^{Dyer}Sybert and Council members. I'm Glen T. Hierlmeier, President of Castle & Cooke Development Corporation. Castle & Cooke welcomes the opportunity to guide the Governor's Council on Growth Management towards an effective California growth management policy.

Governor Pete Wilson's second Executive Order created the Interagency Council on Growth Management to formulate growth management recommendations. The Governor's commitment to growth management is illustrated as follows:

"Marian Bergeson, a Newport Beach Republican, said at a recent Sacramento forum: 'We have a governor who believes in growth management, a governor who started his wider political career as an exponent of it. I'm optimistic.'" (Bakersfield Californian)

We applaud the Governor's recent comments that recognized the need to view growth management as an opportunity to determine the quality of life all Californians deserve.

Castle & Cooke Development Corporation supports this series of hearings. Our company has worked diligently to become a partner in the process to find equitable, as well as realistic, solutions for a Greater Bakersfield/Kern County growth management policy. Today, we offer that same partnership opportunity as an advocate for a California growth management policy that will meet the needs of our city -- county -- region -- and state.

GROWTH MANAGEMENT: PURPOSES AND BENEFITS

Communities usually justify growth controls in terms of mitigating the adverse effects of population growth. The alleged benefits and purposes of growth management are:

- * Improved environmental quality
- * Preservation of open space and sensitive lands
- * Reduction in suburban sprawl
- * Improvements in the quality of life
- * Decreased traffic congestion
- * Greater economic growth
- * Desirable urban redevelopment

- * Lower municipal service costs and property taxes (Proposition 13 limits the property tax effect in California)

GROWTH MANAGEMENT: KEY ISSUES

Two primary questions related to growth management are:

- * Do growth policies achieve the desired benefits?
- * What are the implied costs relative to benefits when considering administrative costs, market place distortions, and increased property prices?

In other words, the key issue is as follows:

- * How effective are growth management techniques, including impact fees, for providing the necessary infrastructure and amenities to accompany population and economic growth?

GROWTH MANAGEMENT POLICIES: APPLIED TECHNIQUES

In order to provide the expected benefits, a variety of growth management techniques are used by local communities, including:

- * Traditional zoning and subdivision regulations
- * Mandating impact fees as a prerequisite for permission to develop
- * Growth timing mechanisms and building permit limitations restricting the number of units developed during a period of time (usually per annum)
- * Designating "urban service areas" (urban limit lines) for development
- * Offering incentive zoning to developers to secure amenities without spending public funds or imposing impact fees
- * Introducing a building moratorium

GROWTH MANAGEMENT POLICIES: EVALUATION

Research Findings and Conclusions

There have been many formal research studies (see selected bibliography) evaluating the effectiveness of growth management policies and their implementation in terms of providing the expected benefits. Selected highlights from the research findings and conclusions are presented below as justification for our final recommendations.

Findings

The following highlights selected major findings, with supporting citations, from the body of research and case studies evaluating the outcome of growth management policies:

- * Present growth management practices have increased housing prices, both new and existing, and raised concerns about affordable housing.

- Moreover, higher housing prices have spilled over to adjacent communities. In contrast, cities without growth policies may provide more affordable housing.

(Rosen and Katz, "Growth Management and Land Use Controls;" Elizabeth Deakin, "Growth Control, A Summary of Empirical Research;" Michael Gleeson, "Effects of an Urban Growth Management System on Land Values;" John Clapp, "The Impact of Inclusionary Zoning on the Location and Type of Construction Activity;" Patrick Beaton, "The Impact of Regional Land-Use Controls on Property Values: The Case of the New Jersey Pinelands;" Michael Elliott, "The Impact of Growth Control Regulations on Housing Prices in California")

- * There is very little accountability for the administration of impact fees or exactions.

- For example, fees may be collected from developers to pay for services and facilities that have nothing to do with population growth, or
- Improvements paid for by up front fees are not delivered by governmental agencies in a timely manner.

(John Landis, "Testimony to the Advisory Commission on Regulatory Barriers to Affordable Housing")

- * Job and housing growth is unbalanced

- Indicated by increased commuting times caused by lack of affordable housing close to work.
- Thus, growth management policies may be creating traffic congestion, lowering environmental quality, and increasing energy usage.

(Robert Cervero, "Jobs-Housing Balancing and Regional Mobility")

- * Because local governments are sensitive to dissension, citizen efforts effectively "stonewall" needed developments.

- Residents use ad hoc growth control arguments to delay approval of developments, to downzone high density parcels, and to successfully decrease the supply of housing.

(John D. Landis, "Testimony to the Advisory Commission on Regulatory Barriers to Affordable Housing")

- * A substantial amount of the increased housing demand is generated by existing residents

- Reflected by demographic changes like single person or smaller households.

(Rosen and Shragowitz, "The Proposed Growth Limit on Commercial Construction for San Francisco")

- * The use of housing caps has not been effective in reducing traffic congestion and infrastructure constraints.

(Kroll, Landis, et al., "Assessing the Impacts of Residential Growth Caps -- The San Diego Experience")

- * In some instances, traffic problems are beyond the control of a local community such as

- Intrastate or interstate freeway traffic.

(Salvesen, "Growth Management Tempe Style")

- * Limits on the growth of commercial space may result in loss of jobs, business profits, and city revenues.

- Employment loss outweighs any benefits from reduced traffic congestion, and
 - Lower income persons are particularly hard hit.

(Rosen and Shragowitz, "The Proposed Growth Limit on Commercial Construction for San Francisco;" Hanushek and Quigley, "Commercial Land Use Regulation and Local Government Finance")

- * Growth management policies vary in philosophy from no growth, slow growth, to pro-growth.

- Matching the philosophy to the local community and situation is essential for successful implementation.

(Terry Jill Lassar, "Sharing the Benefits and Costs of Growth Management in Minneapolis;" David Salvesen, "Growth Management Tempe Style;" Bob Narus, "Evolutionary Growth Management in Lincoln, Massachusetts")

Conclusions

At best, research implies the jury is still out on whether growth management policies provide the expected benefits in a timely manner. The results of formal studies present clear evidence that:

- * The most promising growth management policies are developed with maximum input from local constituencies and
 - Are best implemented at the local levels
 - Because of the differing needs of each community planning area
- * Critical elements to a successful growth management policy are
 - Meeting deadlines for infrastructure improvements
 - Coordinating programs among governmental and relevant organizations
 - Delivering promised facilities and improvements
- * It is obvious that Metropolitan Bakersfield and Kern County displayed foresight and vision in designing, approving, and implementing the 2010 Plan
 - Specifying long-term residential, commercial, industrial, and other land uses
 - Promoting the interests and economic well-being of the residents, businesses, and governmental units within the planning area

GROWTH MANAGEMENT POLICIES: RECOMMENDATIONS

Castle & Cooke believes our recommendations for growth management are justified by:

- * An intensive review of the numerous studies conducted to evaluate the impact of different growth management techniques
- * A working knowledge of the Kern County and Bakersfield growth planning efforts (the 2010 General Plan, for example)
- * Insights about the city and county environment, agency functions, and constituencies

Thus, based upon the background information and documentation presented in this Position Paper, certain recommendations become self evident:

- * Local control of growth management is imperative in order to assure policies that reflect the various needs and characteristics of individual communities and planning areas.
 - Local planning provides the most immediate benefits and efficiency.
 - The 2010 General Plan specifies land uses reflecting the community interests and promoting the economic well-being of the residents, businesses, and governmental units within the planning area.
- * Growth management plans should include time lines for the various government entities and public/private ventures to develop, fund, and implement selected policies.
- * City/county/regional considerations should be integrated into growth management policies as needed to coordinate the overlapping effects of many growth management decisions (for example, water supply and air quality).
- * However, interference at the regional and state level should be minimized except as a mechanism to referee disputes involving issues having a broader context than local jurisdictions.
- * State funding support for planning and enforcement entities is a key factor for the successful design and implementation of growth management policies.

GROWTH MANAGEMENT POLICIES: CASTLE & COOKE'S ROLE

In conclusion, Castle & Cooke recognizes that the County of Kern and The City of Bakersfield have done their homework on growth management and related policies. While we are pleased for the opportunity to provide input today, we would appreciate serving further and acting as a resource as recommendations for a California growth management policy are forwarded to the Governor. As a resource, Castle & Cooke can offer the following perspective as a supportive advocate for Governor Wilson's anticipated policy:

- * Kern County and Metropolitan Bakersfield present a unique case study of visionary growth management
 - Evidenced by the adoption of the 2010 Plan
 - Voluntary cooperation between various government agencies, private sector organizations, and concerned citizens

- * The advantages of our "grass roots" approach to growth management include
 - Responsiveness to local needs
 - Sensitivity to concerned constituencies
 - A proactive stance for delivering promised benefits on time

Again, Castle & Cooke thanks the Governor's Council for the invitation to be involved in a process that is critical for the future economic health and quality of life for the State of California.

(Consultants, Drs. Brenda J. Moscové and Robert G. Fletcher, Financial & Marketing Consultants, International, provided the background research and other resource information for this Position Paper and presentation.)

elements that foster safety, provide sense of community and a pedestrian scale and introduce open space within an otherwise hardscape.

- E. Physical growth can be effectively managed given the appropriate framework and attitude.

4. Utilizing new and existing infrastructure more efficiently.
5. Can increase overall quality of life - fosters increased sense of community

III. CONCLUSION

- A. In summary, growth basically is adding people to an existing urban environment. Those people need houses, places to work, shop, recreate, places to worship and evaluate their children. Architects, planners, and engineers provide the built response to these human needs.
- B. These added people can be continually placed on the outer edges of existing urban communities as they spread further outward, repeating the urban fabric over and over again. Or people can be placed within the context of more compact and balanced environments respecting urban growth boundaries or limits and preserving natural resources and valuable agricultural land.
- C. Architects can utilize their special design and problem solving expertise to assist planners and policy makers in formulating the codes and standards required to affect physical changes to the environment.
- D. Examples of well-conceived and designed urban infill projects exist as well as examples of community structures and master planned communities which utilize compact and balanced approaches to design as well as of architects revising city ordinances to introduce

them. Local planning standards and review processes should be modified and streamlined to achieve the desired physical effect.

Concept: A residential neighborhood can support an elementary school, local shops and a church; several neighborhoods can support broader shopping opportunities, higher educational facilities, more churches, employment opportunities and entertainment, etc. This notion fosters many "centers" in a city composed of mixed uses instead of a sterile segregation of like uses in distinct areas that become the source of thousands of vehicle trips as people live in our quadrant of town and work in another.

Transit systems utilizing efficient corridors can link those urban centers if they are properly defined and identifiable. Transit is more successful when people live at higher densities and destination points are modes or centers. You don't have to provide stops at several points along a line to service a population base.

F. Compact and Balanced Development can be positive in that

1. Provides better opportunities for efficient transit systems.
Puts more people in smaller geographical area.
2. Allows the retention of open space and natural resources.
Urban Growth Boundaries
3. Provides more varied living opportunities and creates more affordable housing.
Greater number and expanded choice of types of housing

automobile and circulation system have, in large part, helped create and shape our existing environment.

Expansive rights-of-way and a dogmatic circulation hierarchy has been created for the street system which discriminates against pedestrians, bicycles and even at some time in the future, the introduction of alternate forms of public transportation (light rail).

Expansive parking lots are provided surrounding each building to store automobiles (typically one automobile for each visitor, employee or resident).

- F. In order to maintain the popular California lifestyle and control or manage the expected growth, new development should promote two concepts heretofore foreign to valley communities: Compact and Balanced development. Compact means development at higher densities than now experienced while preserving quality of life and enhancing opportunities, and "Balanced" means that within a distinct neighborhood, community or region, a mix of uses, amenities and services should be encouraged and provided so that residents of these areas do not have to travel beyond their urban centers to shop, work, recreate, worship or be entertained.
- G. If these are accepted goals and become state wide policy, a strong set of state/regional fiscal incentives must be provided to achieve

- B. California offers unique life style opportunities, climate and natural resources as well as a strong economic base for a variety of industries.
- C. Growth issues facing Bakersfield and Kern County are much the same as in other communities.
- D. Growth (left unmanaged) can result in suburban sprawl and burden city services and public facilities (schools), pressure city infrastructure (sewer, water and the circulation system) as well as deplete natural resources: water, air quality, land (in Kern County, agricultural land). Growth can result in a disordered environment and visual clutter.

Growth manifested as urban sprawl can be environmentally injurious to the natural resources of the area.

- E. Physical nature of communities grow in three basic ways: by infilling within existing built urban areas, expanding outward the boundaries of urban areas (suburbia) and by creating new communities where none now exist.

Infill creates higher densities in the city and suburban expansion is synonymous with lower densities. This is fostered by the dependence of the automobile which has, in turn, created a vast network of roads and freeways which have become necessary to move people and goods to and from work, shopping and play. The

As discussed below, our California lifestyle is attractive to people who not only come here, but choose to stay here. Our behavior patterns go hand in hand with how our communities have evolved. (sense of privacy, and territory, control with our automobiles). To manage growth, not only do environments have to change to address it, but behavior must change also.

D. Assumption: Urban environment is beneficial to those living in it. It provides basic necessities of shelter, food, clothing to its residents, as well as police and fire protection and it offers opportunities to live, work, play, be educated, to gain medical care and to engage in cultural and entertainment activities. Man is essentially a social animal.

E. Goal is for urban areas to provide for the basic needs of residents in a cost effective way and creating a built environment that fosters human activity, protects the rights of citizens and enhances a community accepted standard of quality of life.

II. BODY - GROWTH PRESSURES AND MEANS TO ADDRESS THEM

A. Growth in California is inevitable and should be encouraged. It has to be managed efficiently.

STATE OF CALIFORNIA
GROWTH MANAGEMENT COUNCIL HEARING
CITY OF BAKERSFIELD
JULY 24, 1991
Panel 3

I. INTRODUCTION

- A. Michael Dhanens AIA, speaking on behalf of David Milazzo
- B. Responding from the background of an architect/planner/designer, creatively addressing issues and program requirements to meet clients needs and, if successful, those of the community at large.

While primarily affecting building design, architects contribute to the overall nature of the built environment which is the City.

- C The ability to affect good quality built environment is, to some degree, only as good as the standards imposed on development: planning ordinances and policies, engineering standards, etc.

Adjustments in the process will be required to change the results. Change the standards and you will assuredly change the nature of the built environment. Are current standards positively managing growth in our urban area? Will changes automatically make our environment better able to control growth?

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APPENDIX A

GROWTH MANAGEMENT DEFINITIONS

The standard definitions of growth management include:

"Urban growth management systems are designed to control or influence the rate, amount, or geographic pattern of growth within one or more local jurisdictions. These systems include a wide variety of elements -- legislation, administrative devices, planning approaches, fiscal techniques -- employed by the public sector. Normally, these elements have not been conceived as an integrated system, but they do act concurrently on a given development decision and should therefore be viewed as a system, albeit an unorganized and often inefficient one." (page iv, Planning Advisory Service, Urban Growth Management Systems. An Evaluation of Policy-Related Research, August 1975)

"Managed growth -- means the utilization by government of a variety of traditional and evolving techniques, tools, plans, and activities to purposefully guide local patterns of land use, including the manner, location, rate, and nature of development." (page 4, The Urban Land Institute, Management & Control of Growth, Volume 1, 1975)

California Council of Civil Engineers & Land Surveyors

Kern County Chapter

INTERAGENCY COUNCIL ON GROWTH MANAGEMENT

TOPIC: "GROWTH MANAGEMENT"

LADIES AND GENTLEMEN:

My name is Fred Porter and I am President of the Kern Chapter of the California Council of Civil Engineers and Land Surveyors. I have been asked to speak on behalf of the local members.

We have reviewed the questionnaire that was sent to us by Mr. Dorais. We view the term "growth management," in light of the questionnaire, as meaning more State control over development in our community. This would include more government fees and more government red tape.

For the most part, we feel that local government should manage growth within their jurisdiction. This is already mandated by the State in the form of the General Plan process. The General Plans consider affordable housing, local transportation and safety to name a few. We feel this process is working very well. We also feel that local government is capable of performing this job.

We do believe that regional approaches are necessary for air quality, regional transportation infrastructure and statewide (or federal) water projects. It is our understanding that these regional mechanisms are already in place.

A good example of current State involvement is in a project I recently completed. A handicap ramp (which is by the way mandated by state law) was required to be constructed within State right-of-way because the owner was upgrading his building. In addition, other gutter and sidewalk improvements were to be constructed in the City right-of-way. We obtained approval of the City encroachment permit within only a few days. It took about two months for the State to process the encroachment permit for the handicap ramp. Not only did it take more time to accomplish, the processing fees were more, the engineering costs were more and the developer had to make two trips to Fresno to submit and pick up the documents to save time. This is a very typical process when State agencies get involved.

The rules and laws that local jurisdictions now follow are mandated by the State. State agencies already have involvement with local sewer facilities, water facilities, highway infrastructure, utilities and even some grading and drainage

projects. We can only conclude that the State now desires to control the actual land development , i.e. where it should occur, when it should occur and who should develop.

Additionally, how would you propose to fund another governmental agency when the state is already having financial difficulties? I don't know about State government, but in private industry when times get lean, we cut back our staff and our operation to cut overhead, we "tighten our belts." We don't create a new department and hire new employees.

Some of you may be aware that a new Fish and Game fee went into affect in January of this year. First of all we think the fee is inappropriate for 90% (ninety per cent) of the projects that are done. The fee has very little to do with development impacts on wildlife habitat or Fish and Game review. The whole purpose of this fee is to supplement the Fish and Game budget by gouging developers, instead of raising fishing and hunting license fees. To add insult to injury, Fish and Game, as we understand it, has created a new department to collect the fees. How much does it cost to operate this new department?

We feel that creating a state or regional department to oversee or enforce local "growth management" would be costly and just another layer of bureaucracy with which everyone would have to deal. We believe this would be a detriment to the State and to our local government, not a benefit.

Thank you,

Fred Porter

GROWTH MANAGEMENT RECOMMENDATIONS

ADDRESSED TO THE GOVERNOR'S INTERAGENCY COUNCIL
ON GROWTH MANAGEMENT PUBLIC HEARING

AT BAKERSFIELD, JULY 24, 1991

FROM THE LEAGUE OF WOMEN VOTERS OF BAKERSFIELD
LAURA DENNISON, PRESIDENT

For 71 years the League of Women Voters at national, state and local levels has been studying, discussing and forming positions on issues of public interest so that we can speak out at hearings such as this which involve public policy decisionmaking. I will enumerate some of these positions as our recommendations to this Council and through it to the Governor.

1. The League supports changes to ensure revenues sufficient and flexible enough to meet the needs for state and local government services and to ensure fair sharing of the burden of taxation by all Californians. The problems generated by propositions 4 and 13 have forced local governments to "zone for dollars" as they try to capture more sales tax monies by fostering economic development and growth, often at the cost of other important values.
2. One of the most readily identifiable "other values" in the Central Valley is the agricultural land within its boundaries. Agriculture has been sacrificed to urban development in other parts of the state and has effectively disappeared. If this pattern is repeated in the Central Valley there is no other equally productive land in the state to which agriculture can retreat. It may be more possible to assign realistic value to agriculture at the state than the local level, as has been done through the Williamson Act. We urge continued and additional compensation for counties and individuals who may suffer financially by retaining productive land in its agricultural use rather than succumbing to the immediate financial rewards of development.
3. The related problems of water distribution and water quality both for agriculture and urban use already have become matters of state concern and deliberation. We urge that this be continued vigorously. Land without water has little agricultural value, and water of poor quality is not safe for human consumption. State leadership is needed to regulate water distribution and quality for use by competing state-wide interests and also to guard against environmental damage.
4. Air pollution has long been a concern of the League. After our study in 1973, we noted that "pollution problems do not confine themselves to government jurisdictions" and we supported state-set guidelines and policy for pollution control. We believe that they should be administered, however, by air basin. This has put us squarely in support of a strong and effective San Joaquin Valley Unified Air Pollution Control District.

5. Our position on air quality recognizes the close tie between air pollution and transportation issues. We support a transportation network that provides mobility for people and goods throughout the various regions of the state with alternatives to single-occupant vehicle travel in particular. We suggest regional decision-making regarding transportation, noting, however, that it should include extensive local input. Strategies to influence travel behavior might include fees, taxes and tolls, combined with mitigation measures for low-income persons.
6. We support continued state leadership in the regulation and management of solid and hazardous waste, both increasing problems because of growth.
7. Growth management must also include social policies for the burgeoning population. State (and federal) programs are needed to increase the supply of safe, decent, adequate housing for all Californians. In the Central Valley this should also include policies directed at improving the housing conditions for rural communities and farmworkers. There should be strong efforts to remove barriers which inhibit the construction of low and moderate income housing, including eventual elimination from the state Constitution of the provisions for voter approval before a low-rent housing project may be developed, constructed or acquired by a public body. More units of low-rent housing could reduce rents and the proportion of family income required for housing. In turn this would decrease the numbers of families forced onto public assistance and often becoming homeless. This would be a great boon for county governments where the single major budget item is designated for public assistance and where the loudest and most frequent complaint from tax payers is this cost. The pain of poverty and homelessness is borne by all of us through the shame of allowing its continued and growing existence among us. Leadership at the state level is urgently needed to bring about changes in social policy for housing and also for health care.
8. It is tempting to relate all of our societal problems to growth and to suggest state leadership in solving them! In fact everything DOES seem to be connected to everything else. In the dynamic state which is California, no policy can be made which does not affect other issues. Our rapid growth exacerbates every problem and complicates all solutions. The advantage of state leadership in managing the complexities of our growth is that more points of views and more different interests will be represented in the decisionmaking than is possible at any single local level of policy formulation. Powerful interests are sometimes more visible at state than local levels, and advocacy on behalf of the poor and the powerless is more likely to be heard in coalitions built at the state level.

The League's position is, however, that there should be a rational organization of the several levels of government providing consolidation of functions between them to deal with areawide problems, and to achieve cost savings that will not adversely affect, and wherever possible will improve, the quality of service. There should be clear definition of legislative intent in state-funded programs including provision for reporting, review, evaluation and termination.

9. And finally, the League of Women Voters is concerned that voters - the public - actively participate in state and local government, which involves the right to be informed and to be heard. This requires that officials make decisions openly and provide broadly publicized, convenient opportunities for participation by the public in the process.

For the League of Women Voters and other members of the public, I thank you for providing just such an opportunity through this hearing.

**GROWTH ISSUES FROM THE PERSPECTIVE
OF SCHOOL DISTRICTS**

Prepared By:

**Kenneth E. Garland, Ph.D.
Assistant Superintendent-Business**

**Bakersfield City School District
Education Center - 1300 Baker Street
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(805) 631-4677**

July 24, 1991

Growth Issues From The Perspective of School Districts

The effects of the 1950s "baby boom" generation are reflected in the number of persons in the 20 to 35 age bracket in 1980. In fact, the "baby boom" generation's contributions to school-age students' "baby boomlet" actually began between 1970 and 1980 when these persons attained an age of between 20 and 30 years old. This second "boomlet" of elementary students begins to appear between 1975 and 1980, entered school between 1980 and 1985 and moves into high school by the year 1995. There could be a slight reduction in elementary student enrollment after 1995; however, elementary age enrollment after 2000 should remain fairly constant.

An additional source of growth for Kern County is a large in-migration. Various areas, especially some school districts are experiencing an increasing Intra-County migration.

The Bakersfield City School District is an example of an older, established part of the County experiencing population and student growth, but with relatively minor amounts of the newly developed housing areas. It should be stressed that Kern County has several school districts which have considerable growth with most of it the result of large new housing developments.

The Bakersfield City School District has grown from a K-8 student enrollment of 16,982 in 1980-81 to 24,214 in 1990-91. A 7,231 student increase, or a 42.6% growth over the ten year period. The District is growing by approximately 1,100 students per year and is projected to increase another 3,700 students by the year 2000.

Growth Issues From the Perspective of School Districts

What are the issues concerned with the growth described above? The most dramatic issue has been the adequate housing of the additional student enrollment. The Bakersfield City School District is considered to have adequate housing capacity for 18,000 students, approximately 6,000 short of the existing enrollment.

Included in the school capacity is 142 existing relocatable classrooms more than 20 years of age. The District also uses 151 Department of Housing-type rental trailers on a waiver basis to house students. All of these trailers are suppose to be unusable for students after 1993.

The District has passed a \$37 Million bond issue for schools and has been participating in the State School Facility Program for both New Construction and Reconstruction. Reconstruction is desperately needed because 29 of the 34 schools are more than 30 years old. Many of these schools are being over utilized and need more than ever an overhaul of basic structural, mechanical and electrical systems. The District currently has, by adding trailers, seven schools with more than 1,000 K-6 enrollment.

Our community, as is the case with several neighboring Districts in Kern County, has been supportive of the schools. Local bond issues have been passed with the hope that State funds would match the local effort. Now most of us find that the State will not be continuing with their share of the burden.

Growth Issues From the Perspective of School Districts

IMPORTANT GROWTH ISSUES NEEDING ATTENTION FOR SCHOOL DISTRICTS IN KERN COUNTY

1. School housing needs are at a crisis level. The impact of growth in general and new developments in particular on the schools should be a more integral part of the expansion process.
2. Adequate methods for funding school facilities is essential.
 - a. A majority vote (versus existing 66-2/3 vote) for local school bond issues is desperately needed.
 - b. Some reasonable sharing of school facility needs by the State is essential.
 - c. Remove the bureaucracy and all of the special requirements for State School Facility Funding.
 - d. Provisions requiring that developers more adequately provide for school building needs should be further examined.
3. Availability of specialized teaching staff (i.e. bilingual and special education) needs to be addressed. School districts faced with employing large numbers of these specialized staff have a particular need to be competitive with surrounding districts in regard to salaries and other employee benefits.
4. Growth is bringing an over concentration of populations with specialized needs to some districts. Bilingual and special education enrollments are increasing in some districts to a disproportionate degree. The range for districts in the area for students on the free lunch program is from 5% to 80%.
5. Low income affordable housing needs to be dispersed throughout the area. Provisions to assure affordable low income housing in newly developed areas are needed.
6. As growth impacts the area, inequities in the operating funds for school districts cause more pronounced differences. School districts with greater operating resources are able to provide the facilities and opportunities which attract new development. The new development concentrates in selected school districts and compounds the problems of neighboring school districts.

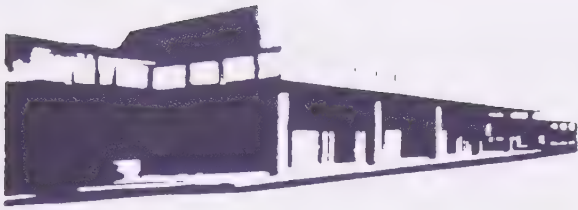
I've touched briefly on some of the immediate challenges facing school districts. The opportunity to present these concerns is greatly appreciated. Thank you for your consideration.

**Testimony of Kelly F. Blanton
Kern County Superintendent of Schools**

before the

Governor's Council on Growth Management

**Bakersfield, California
July 24, 1991**



Office of Dr. Kelly F. Blanton
Kern County Superintendent of Schools
5801 Sundale Avenue, Bakersfield, CA 93309-2924
(805) 398-3600

My name is Kelly Blanton and I am the Kern County Superintendent of Schools.

I appreciate your giving me the opportunity to share with you some of our thoughts and concerns regarding the issue of growth and growth management. Certainly our Kern County schools are experiencing extraordinary growth which can easily be extrapolated into the next century.

Recently, my staff conducted a facility survey of local districts in order to determine school facility needs. This survey shows that the equivalent of 119 new schools will be required in Kern County by the year 2000. This approximation was determined by extending the actual average growth rate experienced the past four years out to the year 2000. We believe these to be modest estimates.

Currently, Kern County is sixth in the state in the number of new construction applications on file at the Office of Local Assistance. We have on file various surveys and documents which specifically detail the growth in the immediate past and expected future growth. Our growth has been and will continue to be substantial.

Growth and growth management are indeed matters that concern us.

However, before dealing directly and solely with school matters I would like to speak briefly to roles and relationships of the various levels of government whether dealing with growth management or just the ongoing business of government.

I belong to a local organization, Citizens for Effective Local Government, which has made some initial efforts to identify concerns relating to the ability of local government to function properly. This group is composed of citizens from both the private and public sectors. The following is a first draft of a local government platform being developed by the group.

As Americans, we have long been known as a "be involved, do it ourselves" people. We hold the world's record for volunteerism, helping to meet the varied and increasing needs of the young, old, infirmed and less fortunate. We are involved in myriad school, church and community service organizations. We exhibit justifiable pride in our achievements and we tend to look on local problems--problems in our counties, cities, school and special districts--as matters for which we are responsible and which we are capable of solving. All these characteristics of Americans have combined to excite the admiration--and sometimes the envy--of citizens of other countries where "top down/far away" rule is the order of the day. Recently, however, the capacity, and therefore our willingness, as Americans, to address our local problems has been diminishing.

To understand the apparent decline in our ability to work through our local government to solve the problems we face, it is necessary to review briefly

the fiscal history of California. In its beginning decades, California state government performed relatively few functions. The legislature assigned responsibility for services designated as necessary to the counties and/or to local governmental units. These units thus became the ones which provided schools, built roads, cared for the indigent, maintained jails, kept records on property and statistics on people, registered voters and attended to many other health, safety, recreational and social needs. For money to provide those services, local governments traditionally relied heavily on the property tax, the oldest form of taxation. But limitations placed on the property tax by Proposition 13 in 1978 have forced local governments to reduce reliance on property tax revenue. Prior to Proposition 13, the property tax was the source of a large percentage of our revenues; now the property tax provides less than a third of our revenues. Counties, cities and special districts thus have experienced a substantial loss of income, but state government has made up only a small portion of the shortfall. Unfortunately, at the same time that local government revenues have been decreasing, demand for services has been increasing. Local government officials and the attentive public are growing ever more concerned about the well-being of their communities for several important reasons:

1. The political decision-making authority of local governments has been eroding. Citizens have been compelled to turn to federal, state and regional governments for assistance with problems which are or ought to be local concerns. But instead of being assisted, local governments have been met with inconsistent and conflicting laws, administrative roadblocks and bureaucratic procedures which

only hamper our efforts to deliver services effectively. Those laws, roadblocks and procedures also have proved to be citizen disincentives. When issues are debated and decisions are taken in places and by persons remote from or unknown to local citizens, we see little reason to participate in public affairs in our home communities.

2. Just as the focus of political decision-making has shifted from county boards of supervisors, city councils, school and special district boards and commissions, so has the focus of fiscal authority. Local governments are mandated to provide a wide variety of services ranging from education and law enforcement to mental health and waste disposal, but we do not receive financial support adequate to discharge our ever-increasing responsibilities. Further, it is not uncommon for the state legislature or the Congress to mandate services for which insufficient or no funds are provided. Local governments, already struggling with revenue shortfalls, then are confronted with a dilemma: ignore the mandate or siphon funds from one already impoverished program to make a token effort in another area of need.

To restore health and vigor to local governments, roadblocks at the state and federal level need to be removed. Collaboration among and between government agencies at all levels needs to be made easier so that increasingly limited revenues can be utilized more effectively. Not only do federal, state and

regional governments need to work in concert with local governments, local governments must work together more closely. For example, cities, counties, schools and special districts should find ways to avoid duplication and overlaps in their transportation systems and to extend services to those currently denied. Agencies which provide information, health, welfare or education services should seek ways to collaborate. In short, local jurisdictions need to engage in more bottom-to-top problem-solving. Unless and until citizens reclaim their authority to address local problems through their local governments and to generate local revenues to meet needs they have identified, proper balance will not be restored to our political system and the needs of the people will not be met. Governments--federal, state, regional and local--cannot lose sight of the purpose for which they exist: to serve the people.

Citizens for effective local government believe that we need to:

1. Identify and remove administrative roadblocks.
2. Oppose fiscal policies that do not provide funds sufficient to pay for services mandated.
3. Oppose funding state programs which are supported by local fees.
4. Facilitate regular, planned communication among local jurisdictions to promote collaborative efforts which can provide better service at lower cost.

5. Revitalize local government.

6. Rekindle citizen interest/participation in local affairs.

In addition to the above, our schools have specific needs. I have indicated that Kern County schools have and will continue to undergo strong growth. Obviously, this creates a critical need for quality growth management. We have the prospect of funding the construction of 119 projected schools during the next nine years.

Funding sources available for school construction are extremely limited. Several districts in Kern County have passed General Obligation Bonds. While a credit to local taxpayer support for public education, many of these bonds were passed with the promise and expectation that the state would "match" the districts' local contribution. The state has since changed the rules and may no longer provide such a match. For example, the Kern High School District planned to build six high schools in the next few years with three being paid for by local bond money and developer fees and three funded by a state "match". The high school district has experienced increasing difficulty in securing the state matching funds in question.

Local districts share facility fees of \$1.58 per sq. ft. for new residential and \$.26 per sq. ft. for new commercial construction. These fees do not begin to pay for new school sites and are generally used only for interim housing. For example, the Kern High School District's share of money collected this year from facility fees provides scant support toward a new high school which

costs approximately \$29,000,000. These fees meet only a tiny portion of district facility needs.

✓ The Office of Local Assistance, State of California, administers the LeRoy Greene Lease-Purchase funding which provides state funding for new school construction. This program is grossly under funded. The applications for new school construction currently on file total \$8,000,000,000. The state plans to request authority for \$1,600,000,000 in new bonds in upcoming elections. If these bond requests are successful, a \$6,400,000,000 gap will still exist. A recent report by Thomas Hayes, Director, State Department of Finance, 1991 Capital Outlay and Infrastructure Report has language which says, "After 1992, the remaining \$6.4 billion in identified funding is estimated to be a local responsibility."

Quite obviously, quality growth management would provide a means to meet such a contingency - means which necessarily must be superior to those that are currently available. The ability to pass General Obligation Bonds with a simple majority is crucial to meeting the demand for school buildings. Something must be done to streamline the process involved in getting existing or future state bond money through the bureaucratic milieu for school facilities.

The current system takes too much time and erodes already scarce school construction dollars.

Most recently, considerable discussion has taken place regarding the efficacy

of regions and regional services. Do we need another layer of government?

I believe that there is a place for regional services. I am equally certain that the delivery of regional services does not require the creation of yet another level of government. Regional services are currently being delivered quite successfully by existing local agencies. According to PACE (Policy Analysis for California Education) an independent, educational policy research center, "There has been a steady, but disjointed migration of educational policy away from local districts to Sacramento during the last twenty years."

The issue of shifting control has never been presented to the people for concurrence. Elected officials, the educational establishment, and others generally acknowledge local control as a desirable goal. To our knowledge, no public official, individual or group has publicly stated that this movement to centralize control of our schools is a goal or that it is even desirable. This being the case, it makes little sense to establish yet another level of government between the citizens and their schools.

Clearly, county offices of education, working in concert with districts and adjoining counties, have already begun to operate as Regional Centers. County offices of education save money and increase effectiveness by providing local and regional services at the request of school districts or the California Department of Education. To assure that any school district in the state has ready access to a basic "menu" of regional services, the 58 county offices of education in California have organized themselves into ten service regions.

There are several ways in which regional services evolve:

1. Districts and county offices, acting on locally-felt needs, develop a JPA (Joint Powers Agreement), contract for services, Form A consortium, or joint venture of some kind.
2. A county office, by statute, exists as an intermediate regional agency.
3. A group of county offices join together to provide mutually beneficial services to each other.
4. The California Department of Education chooses to implement a department program on a regional basis.
5. The State Legislature chooses to pass a law which requires districts/county offices/State Department to institute regional services.

We believe that locally developed regional services abound. These services are widely recognized in each county where located. Yet, as we move from locally initiated to state initiated regional services, they become fewer in number.

In our view, the closer to the firing line a solution is developed, the more likely it will work. When school districts and county offices get together to

solve a problem, they are better able to define the problem around local constraints. They are free to see their limitations, are free to create, free to try their solutions out and are free to refine and modify to meet local conditions. Local solutions are created around locally defined problems and are much more likely to succeed. Both people and agencies are more likely to work harder to make a solution work if they have a hand in devising it. Therein lies the strength of locally originated programs.

Another critical element in locally constructed regional service entities is that each local agency has a choice of whether or not to be members. The matter of choice is important.

The following is a partial listing of regional services offered by the Kern County Superintendent of Schools:

1. Self Insured Schools of Kern (SISK).

SISK was initiated in 1978 as an entity to provide Kern County schools with self-insured worker's compensation coverage. Since then SISK has expanded to:

SISK I - Workers Compensation

66 districts in five counties

SISK II - Property, Auto and Liability

112 districts in seven counties

SISK III - Health and Employee Assistance

140 districts in fourteen counties

2. Schools Legal Service

In 1976, the Kern County Superintendent of Schools and 25 districts in Kern County formed a consortium to employ legal counsel under a joint power agreement. Since that time, the service has grown to include 100 school agencies in five counties.

3. KETC - Kern Educational Television Consortium

The Kern Educational Television Consortium (KETC) is a project to telecast, via cable television, local, regional and nationally developed educational programs.

KETC is a JPA with four county educational agencies as signatories. The four members of the JPA are the office of the Kern County Superintendent of Schools, the Kern High School District, the Kern Community College District, and Cal State University, Bakersfield.

4. School Excess Liability Fund (SELF)

SELF was established in April of 1986 in order to avoid payment of exorbitant excess liability premiums. Self Insured Schools of Kern (SISK) was the first member agency to join SELF and currently represents about 10 percent of the member districts in SELF. When we first joined SELF, this resulted in a saving of 50 cents on the

dollar for excess coverage.

5. Kern Environmental Education Program (KEEP)

Serving districts in Kern, Fresno and San Luis Obispo counties, KEEP offers districts an environmental educational program in the Sierras or on the coast. The sites also are used for inservice training of college staff as well as students. This five-day residential program offers districts a high quality environmental program at an affordable cost.

6. State Teachers Retirement Services Counseling

The Kern County Superintendent of Schools Office offers regional State Teachers Retirement Services (STRS) counseling known as employee-based services to STRS members in Kern and Inyo counties.

7. Instructional Resource Center (IRC)

The Kern County Superintendent of Schools Instructional Resource Center provides contract media services to 44 K-12 districts in Kern County. Services to public schools include materials acquisition, catalog development, processing and maintenance, scheduling and weekly delivery of film and video materials.

8. Special Education Consortium

Forty-five school districts and the office of the Kern County Superintendent of Schools participate in a cooperative plan to assure access to special education programs and services.

9. Special Education Transportation

Home to school transportation is provided to special education students referred from school districts and provided special education services by the Kern County Superintendent of Schools Office.

10. Vehicle Maintenance Center

Each year the Vehicle Maintenance Center services from 600 - 800 vehicles from six counties plus numerous vehicles from other public agencies in Kern County.

11. Data Processing Center

12. Migrant Education Regional Service

13. Regional Occupational Program

These and others are representative of the kind of regional services offered by the Kern County Superintendent of Schools Office. Additionally, we subscribe to several regional services offered by other county offices.

Local and state agencies have a daunting task ahead as we try to manage our growth while attempting to implement meaningful educational reform. We particularly applaud the Governor's initiatives toward care and education of our very young.

California public schools have traditionally advocated a strong role for local school boards in the governance of our public schools. Most recently, we have been drifting from that principle. We must exercise great care as we devise new methods of managing our growth to not surrender even more critical local functions to distant state control agencies which have little or no local accountability. While we acknowledge the need for accountability to state standards, we feel a need for more personal involvement from parents and communities in the operation of our schools.

It is imperative that we restore the capacity of local school agencies to implement reforms mandated by the state while still being responsive to local needs.

Locally developed solutions to the problems we face offer the most promise for effective solutions.

AFFORDABLE HOUSING POLICIES PROPOSALS UNDER DISCUSSION

Determination of Housing Need and Allocation of Fair Share

1. Each city and county should be required to meet its fair share of regional housing needs for all economic segments of the population, including very low, low, moderate and above moderate income households.
2. Current state housing policies should remain in effect. This includes sections that provide for:
 - a) State allocation of fair share housing need to regions and regional allocation of fair share need to each city and county.
 - b) Basis (formula) for determination of regional and local housing needs.
 - c) Local governments' ability to influence the determination of their fair share of the regional housing need.
 - d) Timetable for prompt resolution of any conflicts over regional and local fair share allocations.
 - e) Requirement that each city and county identify goals for housing rehabilitation and preservation based on need.
3. As provided for under current state housing policy, each city and county should identify an adequate number of sites with public services and facilities to facilitate and encourage the development of a variety of types of housing for all income levels. And additionally, the sites identified should have appropriate zoning, density, and physical development standards to enable fair share requirements to be achieved.
4. The Regional Growth Management Council (RGMC) should fulfill the role of the "region" as identified under current state housing law.
5. The Regional Strategy of a RGMC should include regional and local allocations of fair share housing needs and housing rehabilitation and preservations goals consistent with state policies.
6. Through consistency between the Regional Strategy and Comprehensive Local Plans, the Regional Growth Management Council (RGMC) should ensure that each city and county meet its fair share of the regional housing need and goals for preservation and rehabilitation of housing.
7. The RGMC should be able to reduce a city's fair share allocation for moderate and above moderate income housing if:
 - a) the total housing need for the region is not reduced;
 - b) the transfer only occurs within a county; and
 - c) if the local government's allocation is not reduced below the total of its existing and projected needs.

AFFORDABLE HOUSING POLICIES, continued

Mixed Income Housing Opportunities

1. Cities and counties should ensure that housing opportunities for all income groups are available and that the limitation of low and very low income housing opportunities in particular areas is discouraged.
2. The Regional Strategy of a RGMC should include goals for mixed income housing opportunities consistent with state policies.
3. A city's or county's Local Comprehensive Plan should specify how mixed income housing opportunities will be achieved.
4. Through consistency between Regional Strategy and Comprehensive Local Plans, the Regional Growth Management Council (RGMC) should ensure that each city and county meet its goals for mixed income housing opportunities.

Incentives and Sanctions to Achieve Housing Need

1. Through its Local Comprehensive Plan, each city and county should identify goals, quantified objectives, policies, resources, programs, and timetables that will ensure achievement of its:
 - a) fair share of regional housing need;
 - b) goals for housing rehabilitation and preservation;
 - c) goals for mixed income housing opportunities.
2. The State Department of Housing and Community Development should review the RGMC's methodology and allocation of housing needs for compliance with state criteria and require revisions if necessary.
3. There should be greater incentives and sanctions than currently available under existing law to ensure that local government housing goals are actually reached within specified periods of time.
4. Each city and county should receive an allocation of "Incentive Funds" to assist it in meeting its housing goals. Local governments should receive an increased annual allocation of "Incentive Funds" if they are showing significant progress in meeting their housing goals. If a city or county also provides significant locally generated housing funds, it should receive a preference for state loans and grants.
6. Every two years, the RGMC should review each city's and county's compliance with its housing goals. Sanctions should be imposed if a city or county is found to be out of compliance with their housing goals. A local government should be found in compliance if the local government demonstrates that the reason for its failure is beyond its control.
7. The type of sanctions may include: orders to bring plans into compliance; suspension of authority to issue permits; mandatory approvals of certain developments; denial of certain state loans and grants; and the availability of a special court to handle appeals of denials, delays and conditions.

AFFORDABLE HOUSING POLICIES, continued

8. Sanctions should be tiered based upon:
 - a) the income category of the housing, with the more severe sanctions being imposed for failure to meet very low and low income housing goals;
 - b) the level of noncompliance, with sanctions increasing in severity the more a local government is out of compliance;
 - c) whether the housing goals relates to new construction, rehabilitation, preservation, or provision of mixed income housing opportunities.
10. The State Department of Housing and Community Development should review the RGM's compliance with state housing policies. Clear violations should trigger enforcement measures, imposed by state and designed to ensure compliance. Other conflicts between the state and regions are subject to a conflict resolution process. If conflict resolution processes are unsuccessful, a special court will resolve the dispute.

IV. Funding for Affordable Housing

1. The state should set a goal of annual housing investment at 4% of the gross state product, which is the historical rate of investment in housing.
2. State governments should provide the subsidies necessary to make the percentage of units needed by low and very low income households affordable to those households.
3. The state should prepare a 20 year affordable housing investment plan, biennially updated, to meet existing and future housing assistance needs.
4. Comprehensive Local Plans should include a program of housing assistance, which is updated biennially.
5. Developer fee on very low and low income housing should be limited by state law. "Incentive Funds" can be used to replace funds lost to local government from such limits.
6. Article 34 of the State Constitution, requiring a vote of the people before certain low income rental housing development can be approved, should be modified to put the burden on opponents of such development to collect signatures and place measures on the local ballot to stop such developments.

ECONOMIC DEVELOPMENT POLICIES

PROPOSALS UNDER DISCUSSION

The Role of the State

1. The state should be committed to working with regional and local agencies, the private sector, and the nonprofit sector to encourage the development of expanded job opportunities for the population, consistent with state goals, regional strategies and local comprehensive plans.
2. The state should be committed to reforms in regulatory activities, spending priorities, and tax policies that will have a beneficial effect on:
 - o Economic opportunities for all segments of the population.
 - o Productivity of businesses, including reduction of unnecessary costs and work imposed on them.
 - o Research and development investment that improves competitiveness and productivity.
 - o Making market investment in low income and inner city jurisdictions economically attractive.
 - o Encouragement of environmentally sensitive and cost effective business practices.
 - o Location of essential but problematic land uses.
 - o Support for community-based and other economic development activities.
 - o Provision of affordable housing to meet the needs of a growing and culturally diverse population.
3. The state should be committed to creating economic opportunities for its residents in the most environmentally responsible manner possible.
4. State tax and expenditure policies should raise required revenues while supporting desirable social and economic development. State tax policies should support:
 - o Job training and retraining for community residents.
 - o Investment in inner city communities.
 - o Research and development to improve productivity and competitiveness.
 - o Maintenance and creation of community-based economic development activities and encouragement of racial and ethnic business development.
 - o Continuation of agricultural production.
 - o Transportation and child care assistance programs for employees, particularly needed in low income and inner city communities.
 - o Environmentally sensitive business practices.
 - o Affordable housing.
5. State regulatory agencies should be required to assess the impacts of new business regulations on economic development, economic opportunity, and productivity of existing businesses. Where there are significant negative impacts agencies should be required to consider alternatives and mitigation measures.

ECONOMIC DEVELOPMENT POLICIES, continued

The Role of Regions and Localities

1. The Regional Strategies of the Regional Growth Management Councils (RGMC) should include strategies for identifying economic development needs and economic opportunity objectives. The Regional Strategy should address:

- o Potential conflicts between areas in the region seeking economic development.
- o Disincentives due to government regulations, especially with regard to different requirements enacted by a multiplicity of jurisdictions in the region.
- o How economic development and opportunity will be supported by the other strategies relating to development, infrastructure, and affordable housing.
- o How economic development activities will be accommodated in the context of environmental resource protection and attainment of air quality standards.
- o How agricultural activity will be sustained where agriculture is an important economic component of the region.
- o How social equity objectives and community impact mitigation will be integrated in economic development decision making.

2. Economic development and economic opportunity should be incorporated into the Comprehensive Local Plan. This component should:

- o Analyze economic development and employment trends, strengths, weaknesses, and opportunities.
- o Specify the local government's objectives for economic development and for encouraging economic opportunity of the existing and projected population.
- o Layout a strategy for achieving the above objectives that, among other issues, addresses:
 - Obstacles to access to jobs by existing residents.
 - Revitalization of neighborhood commercial centers.
 - Reduction of environmental impacts of business on neighborhoods.
 - Incentives for new and expanded businesses to provide job training for existing residents.
 - Incentives for creation of small businesses and community-based businesses.
 - How other policies of the Comprehensive Local Plan such as housing, social equity, capital facilities, agricultural land protection, resource protection, etc. relate to achieving economic development and economic opportunity objectives.

COMMUNITY ECONOMIC DEVELOPMENT POLICY ISSUES TO CONSIDER FOR PUBLIC TESTIMONY

- Policy: Economic development should be targeted to benefit local California residents/workers through first source hiring, contracting opportunities and small business development.
- Policy: The state should be committed to working with the nonprofit sector to encourage the development of expanded job opportunities for the population.
- Policy: State tax and expenditure policies should raise required revenues to support community-based economic development.
- Policy: The state should make an investment in social infrastructure commensurate with its investment in physical infrastructure. This investment should include monies for child care, education, job training, health care, etc.
- Policy: Joint ventures between the public, private and nonprofit sectors should be encouraged.
- Policy: Every General Plan should include a Economic Development Element which would include an analysis of the existing economy together with goals, objectives and strategies to encourage community-based economic development. Nonprofits should play a major role in implementing the strategies that are set forth in the Economic Development Element.
- Policy: A Community Impact Report should be mandated by the state. The purpose of the CIR would be to provide for full and complete disclosure regarding socioeconomic impacts of growth and development on a community. In considering social impacts, there needs to be specific criteria so that social impact analysis is not used to stop low income housing development.
- Policy: There should be a transportation/air quality/housing links with a jobs/balance. State planning and transportation policy should support this balance.



GREATER BAKERSFIELD
CHAMBER OF COMMERCE

GOVERNORS COUNCIL ON GROWTH MANAGEMENT

POSITION STATEMENT

July 24, 1991

The Greater Bakersfield Chamber of Commerce commends and supports Governor Wilson's commitment for development of a comprehensive growth management policy for the State of California. Even the most conservative projections indicate that the population of our state will increase at a dramatic rate during the next decade. It is vital to the well-being of our citizens, present and future, that a sound plan for the management of our natural and economic resources be formulated.

We appreciate that the governor has provided these hearings to seek input from various segments of our society. This process will help insure the success of the Governor's Growth Management Plan.

The Greater Bakersfield Chamber of Commerce represents a highly diverse business community in the Southern San Joaquin Valley. The metropolitan area of Bakersfield had the seventh fastest growth rate in the United States from 1980 to 1990 according to the last census. Continued strong growth is projected for the next decade and beyond. We recognize the need for planning and that this process cannot be accomplished by each community on an isolated basis. While we support the concept of

regional planning, we strongly urge that no new layer of regional government be established, as past experience has shown such mechanisms to be unwieldy and unresponsive.

Rather, we propose that the Governor draw upon the model of cooperative intergovernmental planning which resulted in the adoption of the 2010 Plan for development of the Greater Bakersfield area. In our example, City and County agencies worked closely together throughout a five year planning process. The various governmental agencies sought input from their separate constituencies in numerous forums, and then met together to formulate a plan for the benefit of City and County residents alike.

In similar fashion, existing local governmental entities could join in a cooperative regional or statewide planning effort.

We believe local governmental entities are closest to the grass roots constituents for the purpose of seeking input from representatives of business, education, environmental, social service, cultural/arts and governmental service sectors of each community. Such a process should identify the commonalities as well as the unique attributes which must be considered for the various region of the state.

California presents a unique challenge for the management of growth in that the state contains a wide range of diverse geographic characteristics as well as socio-economic interests.

The state's role in growth management should be to ;

- (1) Allow each region to maximize its resources in the free marketplace within the bounds of preserving natural resources within acceptable standards applied consistently throughout the state.
- (2) Establish the means by which resources may be used, shared and preserved
 - water
 - agricultural land
 - sensitive lands including floodplains, wetlands, water storage banks, national, state and regional parks, desert conservation areas, endangered species areas.
- (3) Provide the vehicles through which common problems can be addressed on a consistent, equitable basis
 - air pollution
 - waste treatment and disposal (hazardous and non hazardous)
 - regional and state-wide transportation
 - water pollution
 - power generation and distribution
- (4) Provide consistency in addressing social issues
 - education
 - health and welfare
 - safety

Whether the growth planning and control process is conducted by local or regional entities, one obstacle must be overcome, and that is the conflict between urban and rural interests. These conflicting interests cannot be addressed in the traditional political sense on the principle of one person, one vote. Such a policy could destroy many of the resources that reside within California's rural areas. The political representation within both houses of the California legislature, along with the representation in county government, appears to be the most equitable method of representation. That is why the Greater Bakersfield Chamber of Commerce advocates local planning and input to the state without the establishment of new, regional government entities.

The legislature cannot do justice to planning issues on a piecemeal basis. The various state agencies should be charged with proposing comprehensive plans based upon input from local governments, community based organizations and the public hearings process.

Due to the urgency of planning issues in many parts of the state, a definite timetable should be established.

Adequate provisions should be made for local input through all phases of planning. It should include opportunities for review of draft plans at the local level. Adequate time must be built into the schedule to allow for thoughtful study of the

issues and preparation by local entities for meaningful participation in the process. This type of local participation should allow compromises to be ironed out by state agencies before proposals are submitted to the legislature. Perhaps the local public hearing process will offer some hope that the legislature could enact meaningful growth management legislation.

In summary, we commend the Governor for initiating this process of local input into the important issues of growth management. We hope this current series of workshops represents the beginning of this process, and not the end. The issues are too complex and too critical to be resolved upon short notice by one series of hearings.

Thank you for affording us this opportunity today.

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BAKERSFIELD ASSOCIATION OF REALTORS®, Inc.

The Voice for Real Estate™ in Bakersfield

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STATEMENT ON GROWTH MANAGEMENT

July 24, 1991

Members of the Council, my name is Karen Wass and I am the President of the Bakersfield Association of REALTORS®. I represent more than one-thousand agents.

We appreciate this opportunity to speak before you today about an issue that directly concerns the real estate industry and this community.

In many areas of California growth is a four-letter word. Here in Kern County growth has been positive, providing needed jobs, affordable housing and at times a robust economy.

Over the next decade we understand that tough growth management decisions will have to be made. Elected state officials will be faced with mediating California's responsibility to accommodate population growth and related housing needs; along with respecting the protections afforded private property owners.

REALTORS® are concerned that certain attempts at controlling growth will result in many people being forced out of the housing market, making the "American Dream" just that, a dream. Development fees, assessments, any additional costs to a new home burden the potential buyer.

(2)

We concede that growth is responsible for some of the problems facing us. But if development was forced to stop today, there would still be growth tomorrow. There needs to be a consensus on just how much development is responsible for when it comes to funding needed infrastructure. The burden of paying for the state's problems can't be levied against a certain segment of the population just because that segment shows the least resistance.

Our Association believes that a new layer of government should not be created to address regional issues. Instead, cooperation among the different levels of government should be encouraged through incentives.

We understand that issues pertaining to environmental concerns need to be consistent from the state on down to city governments. The state should be required to provide clear guidance on growth management issues such as air quality, water quality, waste treatment and disposal, transportation and housing. However, we believe government, whenever feasible, be vested at the local government level.

The general planning process should continue to serve as the means of preparing for the future needs of a community. These plans should be internally consistent, compatible with plans at other levels, and regularly updated as the policy road map for all localities.

To achieve affordable housing goals, increased densities should be allowed and encouraged. Zoning should promote a balance of housing and open space, and include policies which result in reducing per-unit cost of housing.

(3)

✓ Urban growth boundary or limit lines should be discouraged, because they would result in a dramatic increase in housing costs inside the boundary, and a reduction in values and private property rights outside the line.

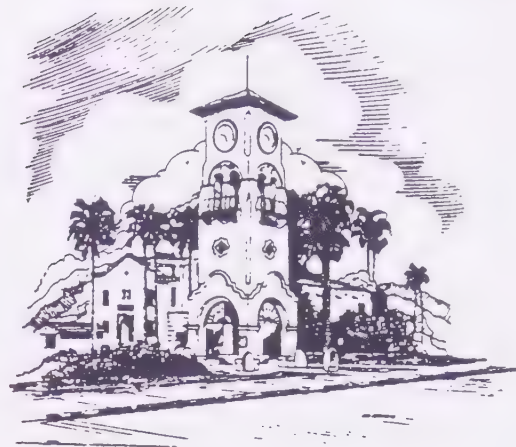
Policies to protect the environment and preserve natural resources should respect the rights of private property owners, and just compensation should be awarded when confiscatory action result in a taking.

In conclusion, growth management in this state should not become a "NO GROWTH" policy. The state should support responsible growth, as investment will add to the vitality of California.

Thank you for your time.

City of BAKERSFIELD

COUNCILMEMBER - FOURTH WARD



August 6, 1991

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AUG 12 1991

Governor's Office of Planning
and Research

Mr. Richard Sybert, Chairman
Governor's Council on Growth Management
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Sybert:

Enclosed is a copy of the presentation which I made to the Governor's Council on Growth Management in Bakersfield on July 24, 1991. I spoke from written notes which I have had typed to facilitate their inclusion in the record.

Thank you for the opportunity to express myself on the critical issues of growth management.

Sincerely,

Conni Brunni, Councilwoman
City of Bakersfield

a/lrs

PRESENTED TO
INTERAGENCY COUNCIL ON GROWTH MANAGEMENT
JULY 24, 1991

by Conni Brunni, Councilmember of the City of Bakersfield

Good afternoon. I am Conni Brunni, a City Councilmember in Bakersfield, the 15th largest city in California. In the real world I negotiate fees on behalf of a group of doctors with insurance companies. I am speaking in place of Jim Marino, the Chairman of our Planning Commission who is contributing to our internally generated population increase - Daniel Barton Lyndsay Marino is being born as we speak.

My comments will focus primarily on appropriate planning, or the lack thereof, and the impacts of each as we try to come to terms with growth in our state.

First and foremost, growth management MUST proceed from the fundamental premiss that growth WILL ultimately occur and cannot be halted. This sounds very simple, when in fact it is the cornerstone on which planning for growth must occur, and is in direct contrast to the "strategies" heretofore implemented under the costume of numerous legislative acts; all of these acts have occurred with the underlying goal to stop growth. If we recognize and accept growth, then we can anticipate future problems and work on solutions rather than focusing attention toward denial strategies that cripple communities as the growth happens anyway.

A perfect example of a failed denial strategy is Santa Barbara. Believing they could halt growth by ignoring their critical water needs, Santa Barbara has left its quality of life ravaged. This, in my view, is dereliction of duty on the part of local elected officials to foresee their own destiny and make the choices necessary to appropriately plan for their future.

A very different example exists here - Don Rogers and others were a part of securing a viable groundwater source for the City of Bakersfield in 1976 by purchasing water rights to the Kern River and performing water banking in wet years. As a result, while we must be careful, you can water your lawn and flush your toilet in Bakersfield.

Now, another example from Bakersfield. We have identified, through a cooperative general planning effort with the County, the need for several major transportation corridors. In a proactive step to preserve right-of-way, the City and County recently adopted a specific plan line for one of these circulation "freeways" even though there was loud political protest of adjacent residents. We were actually able to

identify a plan line that didn't go on top of ANY homes or businesses. In the growing areas of our state, these opportunities exist and MUST BE handled proactively. We should be incentivated, not chastised for looking forward to the challenges before us rather than "sticking our heads in the sand."

Referring to Commissioner Marino's response to your questionnaire, I would like to especially call your attention to numbers 2, 5, 7, 9, 16, 19, 20 and 21. Mr. Marino's notes on all 26 questions are attached hereto and submitted as part of the overall presentation.

2. What is the proper State role in growth management?

Provide opportunities for local solutions - be consistent! Fish and Game or CARB staff members. Less contradictory rules among state agencies.

5. Should a new layer of regional government be formed? Why or why not? If so, should the State mandate such regional government for the various urban areas, or should the State merely make it possible for a region to adopt such government if it wishes?

Provide the opportunity - don't mandate it.

7. Which substantive areas, in your opinion, require regional approaches rather than local ones? Why should the approach be regional rather than statewide in such areas? In other words, why shouldn't there just be two levels, local (i.e., non-regional) and state?

Transportation, sewer, water. Two levels are fine if the State stays out of the way of solving problems. Often, they are the impediment to effective solutions: ego.

9. For what programs and issues should the State be responsible? For what programs and issues should each locality be responsible? What should be the proper balance?

The State should pay for any programs it mandates or any financial impacts it creates - same for local. An example, is local governments are drowning financially from this one piece of well-intentioned legislation.

16. Do you see "fiscalization of land use" as a problem, whereby local jurisdictions compete against each other for commercial development and other tax-generating land uses, while shunning housing and other high-service land uses? If so, what remedies do you propose?

N/A for Bakersfield - State "solutions" should not be imposed on areas where the problem doesn't exist. Employer flight IS occurring right now. Without a viable business climate, California will be left with a huge, unemployed work forces where only independently wealthy can survive - this is how socialism thrives.

19. **Do you agree that agricultural land should be treated differently than other open space? Should agriculture be treated differently than other economic undertakings? Why or why not?**

It is different. Food and fiber are important. Different quality - leave it up to local government.

I would like to further comment that you can't make people be farmers unless you espouse a socialistic society. I DO NOT!

20. **What is your opinion of urban growth boundaries or limit lines?**

Increases the cost of land within the line. Decreases affordability of housing.

21. **Please provide any comments you may have on pending growth management legislation.**

It increases the cost of doing business in California which encourages our businesses to locate into other states. Long-term, it will erode our economic base long before relieving our need to provide services.

A recent article in the Washington Post by Jack Kemp, Secretary of Housing and Urban Development highlights its effects on housing of over regulation. The source of which is a report "Not in My Back Yard: Regulatory Barriers to Affordable Housing" by the Kean-Ashely Commission. And I quote:

"Developers don't like it and consumers can't afford it, yet a growing web of overlapping environmental and wetlands regulations, zoning laws, rent control ordinances, construction permits, and impact and construction fees is distorting the market and sending building costs and land prices spiraling upwards."

"A zoning law in Ring County, Washington, allows just one house per five acres over a 1,500 square-mile swath of land. Not surprisingly, last year the county recorded the largest one-year jump in housing prices nationwide."

"A large body of research indicates that rent control primarily benefits

middle and even upper income households, reducing housing mobility and eroding the stock of available housing... The Kean-Ashley Commission indicates that overzealous environmental regulation is a primary threat to affordable housing."

"Broad new environmental restrictions are being imposed at every level of government. The duplication of effort, ambiguous requirements and heavy administrative burden have vastly complicated the task of developing low-cost housing."

In going directly to the Kean-Ashley Report, I found these recommendations to be very pertinent to your deliberations:

The Commission recommends a comprehensive assessment of existing wetlands legislation and regulations to eliminate excessive or unnecessary barriers to affordable housing while protecting essential wetlands resources...

Streamline and simplify Federal regulatory authority and, under appropriate safeguards, delegate Federal regulatory authority to those states that have comparable regulations.

The Commission recommends a thorough review of both statutory and administrative provisions regarding protection of endangered species to ensure an adequate balance between protection and other essential social goals.

The Commission strongly recommends that the executive branch become an active and continuing participant in seeking increased Federal and State judicial review and scrutiny of excessive and discriminatory development controls and regulations through active legal intervention, technical assistance, and participation as a friend of the court.

As part of an overall barrier-removal strategy, the Commission recommends that states consolidate and streamline their multiple regulatory responsibilities, for example, by giving authority to a single agency, to shorten and improve both State and local approval processes.

The Commission recommends that States enact legislation that establishes time limits on building code, zoning, and other approvals and reviews. Such limits should apply to State as well as local development reviews...

If the government did not act within the time established by law, approval would be automatic.

The Commission recommends that State and local government develop and implement necessary policy and funding plans to provide and maintain adequate infrastructure in support of affordable housing and growth. The Commission recommends that State and localities employ a range of financing tools to ensure that such infrastructure is available in a timely fashion.

My note on this is that the Commission is encouraging the support of affordable housing not trying to stop it.

This morning I heard Mary Jane Wilson speak eloquently to many of my personal views. She was speaking to you and to me when she said, "I believe it to be of tantamount importance that regulators, in their roles as growth managers, not become so focussed on single quality of life issues that other important factors are repressed." And that, "Cleaner air loses its significance to the person who has just lost his job. All the things that people strive for; live for; must be weighed. The elements of life are in constant adjustment. The inhibition of growth can go a long ways towards pollution prevention. However, does that improve the quality of life?" I THINK NOT! These words are particularly important since Ms. Wilson earns her living wading through the myraid of environmental red tape for her clients.

Thank you for coming to Bakersfield and hearing our views. We appreciate this new interest in us. Local governments must be given MEANINGFUL opportunity to interact without fear of reprisal from State elected, appointed, and staff officials. The ambiguous and contradictory, employer-unfriendly state regulations don't stop at your door; the buck stops here, at the local level. I ask that state-wide priorities and goals be sensitive to those of us in Central California who have opportunities, and challenges other areas do not possess. We are trying to be proactive in planning for our future. Please allow us to do so. Give us clear incentives and consistent rules that allow flexibility for local needs. Most importantly, again, before we do anything else, we must first change our philosophy to accept that growth will occur and then plan strategies/goals to focus attention and energy in a positive manner.

a:cs

Response to Growth Management
Council Questionnaire
by Jim Marino, Chairman - Planning Commission

1. **What is your definition of "growth management?"**

Managing growth (so it occurs orderly) - Growth management must proceed from the premise growth will occur.

2. **What is the proper State role in growth management?**

Provide opportunities for local solutions - be consistent! Fish and Game or CARB staff members. Less contradictory rules among state agencies.

3. **What is the appropriate role of local government in growth management? Does your answer differ as between cities and counties?**

Reflect local attitudes, solve local problems. Yes - differences will occur between different locations.

4. **What do you believe is the proper role, if any, in growth management for Councils of Government, such as SCAG, ABAG, and others?**

Provide the "regional" solutions that will accommodate growth consistent of local goals.

5. **Should a new layer of regional government be formed? Why or why not? If so, should the State mandate such regional government for the various urban areas, or should the State merely make it possible for a region to adopt such government if it wishes?**

No. Provide the opportunity - don't mandate it.

6. **Are regional solutions available short of creating a new layer of government? Should we strive, in other words, to find mechanisms to help existing local governments cooperate better? Are such mechanisms available?**

Yes. If people are reasonable, it will work.

7. Which substantive areas, in your opinion, require regional approaches rather than local ones? Why should the approach be regional rather than statewide in such areas? In other words, why shouldn't there just be two levels, local (i.e., non-regional) and state?

Transportation, sewer, water. Two levels are fine if the State stays out of the way of solving problems. Often, they are the impediment to effective solutions: ego.

8. What is your view of the wisdom or unwisdom of merging existing single-focus regional agencies such as air quality, transportation, water quality, and COGs (Councils of Government)?

Wisdom is coordinated efforts - problem is when government is unrealistic or unreasonable.

9. For what programs and issues should the State be responsible? For what programs and issues should each locality be responsible? What should be the proper balance?

The State should pay for any programs it mandates or any financial impacts it creates - same for local. An example, is local governments are drowning financially from this one piece of well-intentioned legislation.

10. To what level of detail should the State specify substantive policy (e.g., service levels, open space requirements)? To what degree should the State leave local governments free to make their own decisions in these regards?

State should recommend and advise.

11. How much leeway should the State give regional areas in devising their own approaches to growth management? Why?

Total - local people understand their own problems better.

12. In dealing with growth, should the State focus on regulation, or on market solutions, and which in which areas?

Market solutions - you can't successfully implement regulations that don't work.

13. Do federal responsibilities and the federal government interact with California relative to growth management? If so, how and which ones?

Yes - transportation funding, economic growth.

14. Are new mechanisms and integrated policy approaches necessary to make explicit trade-offs between, for example, air quality and economic growth, or housing and open space, or is the present system of single-focus agencies and departments working tolerably well? If not, what changes would you recommend?

State agencies must be reasonable and palatable to local government.

15. Where do you see the main impacts of the State's growth occurring, both geographically and in terms of government services? Should or can the State act to affect either?

Southern portion - nobody can stop it.

16. Do you see "fiscalization of land use" as a problem, whereby local jurisdictions compete against each other for commercial development and other tax-generating land uses, while shunning housing and other high-service land uses? If so, what remedies do you propose?

N/A for Bakersfield - State "solutions" should not be imposed on areas where the problem doesn't exist. Employer flight IS occurring right now. Without a viable business climate, California will be left with a huge, unemployed work forces where only independently wealthy can survive - this is how socialism thrives.

17. Are there revisions in State and local tax regimes that you believe advisable in order to manage the State's growth?

18. What is your view of the affordable housing problem in California? What steps should or can the State take?

What affordable housing? - Expedite processing time.

19. Do you agree that agricultural land should be treated differently than other open space? Should agriculture be treated differently than other economic undertakings? Why or why not?

It is different. Food and fiber are important. Different quality - leave it up to local government.

20. What is your opinion of urban growth boundaries or limit lines?

Increases the cost of land within the line. Decreases affordability of housing.

21. Please provide any comments you may have on pending growth management legislation.

It increases the cost of doing business in California which encourages our businesses to locate into other states. Long-term, it will erode our economic base long before relieving our need to provide services.

22. Please provide any comments you may have on other states' experiences with growth management.

Lax restrictions - lower housing and living costs. Other states are luring away our industry.

23. Whatever may be the State approach to growth management, how do we ensure implementation and that it will not be just a paper plan?

Don't know - it must be acceptable to local government or they won't implement it - it must be clear and reasonable.

24. In general in the growth management area, do you favor an incremental or a more dramatic approach? Or something in between?

Incremental - sudden moves throw off the balance.

25. Would it be worthwhile to test a "pilot program" for state growth management (and, if so, where and how), or do we now need to act state-wide to be more timely?

Simple solution.

26. In your view, what are the proper elements of a state growth management plan? What sort of things should we be looking at in order to formulate recommendations to the Governor? With whom should we be talking? What issues should we be discussing and analyzing?

a:jma

Testimony before the
Governor's Interagency Council on Growth Management
by Peter H. Parra, Director
Employers' Training Resource
July 24, 1991

Thank you for the opportunity to provide testimony regarding issues as crucial as growth in California. I serve as the Director of Employers' Training Resource, providing a wide range of job training and employment opportunities in Kern, Inyo and Mono Counties. My primary purpose in appearing is to discuss the role of the agencies involved in job training as a key component of growth management strategies.

Originally established under the provisions of the Job Training Partnership Act of 1982 or JTPA, every area in California is now represented by a partnership of public and private entities to provide effective training for available jobs. While the public sector is represented by chief elected officials--usually the Board of Supervisors--the private sector is represented by the Private Industry Council. Jointly, the chief elected officials and the Private Industry Council must approve funding decisions and ensure that all training programs are providing the skill levels required for productive employment. This arrangement has proven itself to be quite successful in our jurisdiction, with each governing board offering its unique input.

This local level planning mechanism also provides the opportunity to offer programs unique to each area. For example, in Kern County we have an economy heavily dependent on agriculture and petroleum production. This past year, both industries suffered major setbacks based due to the freeze, the drought and a downturn in oil prices. Our local planning mechanisms allowed a prompt response to help individuals affected as unemployment rates rose to 15%.

Employers' Training Resource provides funding for a variety of services and training programs intended to prepare our clients for productive employment. Our federal funding is allocated based on the population of unemployed and economically disadvantaged persons. Serving these clients effectively is heavily dependent on the success of growth management strategies. The development of additional employment opportunities is essential to provide adequate jobs for our clients. Equally important is the availability of a productive, well-trained workforce to encourage business to make the investments necessary to provide jobs. A large number of potential employees coupled with the willingness to work with potential employers in training new employees to their specifications are key components of an encouraging climate for business. California needs to be sensitive to business needs if it is to attract and retain the private sector investment that creates jobs. Facilitating growth should also emphasize industrial diversity to minimize the

adverse effect of future downturns.

Your council has requested input into the most appropriate role for the state in developing growth management policy. I feel the most appropriate role is to promote the communication process but to resist the tendency to dictate policies and regulations for all of California. The concept of local control, shared by the public and private sectors, is an effective approach to solving many problems. When state regulation becomes necessary, it is essential that financial resources be identified to fund any required functions and that the benefits be well communicated.

We feel strongly that the job training and education community serves a major role not only in allowing individuals the chance for learning but in improving the quality of life for all Californians. Our activities may lead to that first job or second chance that leads to a productive career and participation in the American Dream. At the same time, we serve employers' needs for productive workers and minimize the state's tax burden by quickly putting individuals back to work, eliminating their need for public assistance. This facilitating approach is crucial to a balance between social needs and business growth.

In summary, I urge that your council study the effectiveness of the public and private sector partnership now in use in job training, that job training activities be viewed as a tool in balancing social service needs with business growth, and that

local control be maximized in this process. I would welcome the opportunity to answer any questions regarding the activities of the Employers' Training Resource.

PRESENTATION TO THE GOVERNOR'S COMMISSION

MR CHAIRMAN, MEMBERS OF THE COMMISSION I AM ROY WEYGAND THE EXECUTIVE DIRECTOR OF THE KERN COUNTY TAXPAYERS ASSOCIATION. I THANK YOU FOR THIS OPPORTUNITY TO ADDRESS YOU AND SHARE OUR FEELINGS REGARDING THE FUTURE OF THIS FAIR STATE OF CALIFORNIA.

WE COMMEND THE GOVERNOR FOR HIS FORESIGHT TO COMMISSION YOUR GROUP TO QUANTIFY THE GROWTH CHALLENGE OF THIS STATE. PLANNED DEVELOPMENT AND GROWTH IS THE ONLY SURE WAY TO KEEP OUR STATE AS A LEADER IN THIS NATION.

✓ THE VIEWS OF MY ASSOCIATION HAVE BEEN ADEQUATELY DOCUMENTED IN THE SERIES OF QUESTIONS AND ANSWERS , A COPY OF WHICH HAS BEEN PROVIDED TO EACH OF YOU. FROM A TAXPAYER STANDPOINT WE SUPPORT GROWTH BUT IT MUST BE ORDERLY AND SUCH GROWTH MUST BE A POSITIVE CONTRIBUTION TO THE FUTURE OF THE STATE. WE OPPOSE GROWTH THAT IS BASED ON THE FACT THAT THE BENEFITS PROVIDED BY THIS STATE ARE MORE LIBERAL THAN MAY BE AVAILABLE FROM OTHER STATES.

✓ OUR ASSOCIATION IS A STAUNCH SUPPORTER OF LOCAL GOVERNMENT. THE LOWEST LEVEL OF GOVERNMENT IS THE MOST RESPONSIVE TO WE THE TAXPAYERS AND VOTERS. THE IMPOSITION OF AN INTERMEDIATE LAYER OF BUREAUCRATIC CONTROL, SUCH AS A REGIONAL GOVERNMENT IS NOT IN THE BEST INTEREST OF THE TAXPAYERS. REGIONAL GOVERNMENTS ARE TRADITIONALLY IMMUNE TO CITIZEN PARTICIPATION THEREFORE DECISIONS RENDERED BY THIS TYPE GOVERNMENT TENDS TO BE

AUTOCRATIC AND UNRESPONSIVE TO THE NEEDS OF THE PEOPLE. THE STATE ASSEMBLY AND SENATE MUST FUNCTION IN THE MANNER FOR WHICH IT WAS DESIGNED . IT MUST BE THE GOVERNMENTAL BODY THAT ISSUES POLICY AND GUIDANCE TO LOCAL ENTITIES. CLEARLY ARTICULATED POLICIES DO NOT NEED A REGIONAL ACTIVITY TO INTERPRET THESE POLICIES FOR LOCAL ENTITIES.

OUR ASSOCIATION RECOGNIZES THAT THERE ARE COMMON ISSUES THAT TRANSCEND GOVERNMENTAL BOUNDARIES AND NEED INTER GOVERNMENT COORDINATION. THROUGH THE USE OF ORGANIZATIONS SUCH AS JOINT POWERS AGENCIES THESE ISSUES CAN BE RESOLVED. THE MOST CRITICAL INGREDIENT NEEDED BY LOCAL GOVERNMENTS IS THE CLEAR , ADEQUATE STATEMENT OF POLICY FROM THE STATE AND LOCAL COORDINATION CAN BE ASSURED.

IT IS THE OPINION OF OUR ASSOCIATION THAT THE CURRENT PRACTICE OF THE STATE TO MICRO MANAGE PROGRAMS AT THE LOCAL LEVEL THROUGH THE ISSUING OF RESTRICTIVE, MANDATING LEGISLATION MUST CEASE. LOCAL ELECTED OFFICIALS ARE CAPABLE OF ACCOMPLISHING THE MISSION PROVIDED THE STATE CLEARLY ARTICULATES THE MISSION. THE PRACTICE OF USING MANDATES TO REQUIRE ACCOMPLISHMENT OF SPECIFIC FUNCTIONS ONLY CAUSES THE NEED FOR LOCAL GOVERNMENT TO CHARGE ADDITIONAL FEES OR ASSESSMENTS AND THIS , IN TURN, CREATES A HOSTILE ENVIRONMENT WITH THE CITIZENS.

IN ANSWERING THE QUESTIONS DEVELOPED BY YOUR COMMISSION OUR ORGANIZATION HAS POINTED OUT WHAT WE CONSIDER A RELATIVE

SIMPLE MEANS TO CREATE GROWTH MANAGEMENT. THE STATE NEEDS TO DECIDE WHAT GROWTH AND HOW MUCH GROWTH IT NEEDS TO REMAIN A LEADER IN OUR NATION. ONCE THAT DECISION IS MADE THESE GOALS MUST BE ARTICULATED IN DIRECTIVES THAT CAN BE USED AS A GUIDE BY LOCAL ENTITIES. GOALS MUST BE REASONABLE, ATTAINABLE AND ATTRACTIVE BUT NOT PUNITIVE TO ASSURE LOCAL SUPPORT. COMPLIANCE ATTAINED THROUGH VOLUNTARY PARTICIPATION WILL ASSURE THAT BOTH THE ESSENCE AS WELL AS THE LETTER OF THE LAW IS ACHIEVED. PUNITIVE OR RESTRICTIVE MANDATES MAY ASSURE THAT THE LETTER OF THE LAW WILL BE MET BUT THE GOAL MAY STILL NEVER BE REACHED.

KERNTAX DOES NOT SUPPORT REGIONAL GOVERNMENT IN ANY FORM. OUR LEGISLATURE MUST LEGISLATE OUR STATE'S DIRECTION IN THE AREA OF GROWTH MANAGEMENT. LOCAL ENTITIES WITH THE SUPPORT OF THE TAXPAYERS WILL ASSURE THAT THESE GOALS ARE MET.

THANK YOU.

**Kern Economic Development Corporation
Testimony to Interagency Council on
Growth Management
June 24, 1991
Bakersfield, California**

For Further Information

**Michael S. Ammann, President
Kern Economic Development Corp.
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KERN ECONOMIC DEVELOPMENT CORP.

Governor's Council on Growth Management

Testimony to Interagency Council on Growth Management

Wednesday, June 24, 1991

City Hall

Bakersfield, California

I. Organization Background

- A. The Kern Economic Development Corporation is a non-profit private corporation supported through private and public memberships. The mission of the KEDC is to diversify the local economy through the attraction of new businesses and industries. The KEDC also supports a team composed of local and state agencies who assist in the retention and growth of existing businesses and industries.
- B. To accomplish this mission, the KEDC provides a free, confidential, centralized information assistance program. This program includes specific community information and information profiles, access to a computerized available property inventory, knowledge and access to local, state and federal incentive programs and linkages to a network of community leaders and official who can assist with the company's siting decision process.

II. Introduction To Kern County Growth Issues

- A. First, it must be recognized that population growth will continue to be driven primarily by natural increase with immigration from other counties within in California and other states as a secondary issue (see attached chart and "Kern growth tops state's. 15 year rate pegged at 44%"). In Kern County growth will occur and the critical issue is how it will be accommodated. Kern County and the City of Bakersfield have adopted the 2010 Plan which calls for accommodating a doubling in population size within the next 20 years.
- B. Local government budgets and work force have grown consistently in the last decade until this year. This financial squeeze began with Proposition 13 revenue limits and has continued with increased state mandates often without financial support, declining federal financial support with worsening of local health related societal problems stemming from high unemployment levels.
- C. Therefore, new local and state financing mechanisms must be developed for funding these needs. Continued reliance upon developer fees as a major funding source cannot be reconciled with

Governor's Council on Growth Management

the need to find an equitable means of sharing broad-based infrastructure and social costs.

- D. Overall, Kern County's economy has grown through some difficult times. The agricultural economy damaged by five years of drought and the December, 1990 freeze has rebounded. Oil prices have had large swings due to the uncertainty brought about by the Mideast War but prices have recently gone up. The merger of Contel with GTE caused a loss of 400 jobs but State Farm Insurance has recently announce the construction and staffing of a new regional service center employing 1,000. Diversification of the economy which will bring new job opportunities for the unemployed and underemployed has began and must continue if Kern County is to meet the challenge of doubling its population within the next 20 years.

III. Issues of Regional Growth Management

- A. First, with a recent state budget deficit of over \$14 billion, the citizens of California simply cannot afford to develop a new layer of regional government to address local and state growth management issues.
1. California must recognize that continued economic growth is not inevitable. Firms are relocating daily out of the state to other lower cost location with less regulation and a pro business environment. The state has already lost 60,000 aerospace jobs during the past 4 year and there is more to come (see Douglas Aircraft to shift 1,600 jobs"). Robert Poulson, of McKinsey & Co. conducted a study of the State's aerospace industry which currently employs 485,000 workers directly and indirectly another 750,000 in related support jobs. He estimates that 150,000 existing jobs could be lost by mid-decade due to lower defense spending and competition from other states. That will put another 225,000 positions in related small support industries at risk. These numbers are significantly higher than government figures which last year indicated there were only about 345,000 total aerospace jobs.
 - a) Twenty one cities and states have recruitment offices within the metropolitan Los Angeles area with the mission to relocate California industry to their community. For example, Cleveland's Greater Growth Association joined with the Ohio Economic Development Council in a recent prospecting trip to Southern California where a group of

Governor's Council on Growth Management

eight economic development professionals called on 170 companies. In total, nine of the prospect companies are considering Cleveland as a potential location. The majority of these firms represent the higher wage paying machinery and equipment manufacturing industry which is one of Cleveland's targeted relocation industries. Southern Californian manufacturing companies are easy targets faced with more complex and always changing regulations which brings on uncertainty within the business environment and ever increasing operational costs.

B. Secondly, the State must conduct a self assessment of existing laws and regulations regarding "growth management issues" that effect local levels of existing government agencies. Frankly, the State cannot enforce all of the current regulations and mandates relating to existing "growth management".

1. State government regulations are already too complex and multilayered with conflicting goals and mandates with sanctions imposed by competing State agencies.

a) For example, while doubling in population within the next 20 years, Bakersfield and Kern County must become an attainment area under the California Clean Air Plan through an annual 5% reduction of emissions, reduce solid waste going into local landfills by 25%, reduce traffic congestion by increasing ride share to 1.5 persons per vehicle, maximize open space and retain prime agricultural land to name only a few (see "County must cut %\$5 million more from trimmed budget").

b) Trade offs will have to be made at the local level between these conflicting goals. State mandating will result in piecemeal solutions and not empower local government agencies to take care of their own problems. In addition State micro-management of local growth will not create a willingness to find unique solutions that solve local growth problems which is essential to making real progress at the community level.

2. The State needs to develop a cohesive, state wide set of regulatory guidelines with oversight to insure clear, simple, consistent regulations which are cost effective and provide local incentives to cooperate on a regional basis to solve problems. Command control sanctions to enforce compliance through

Governor's Council on Growth Management

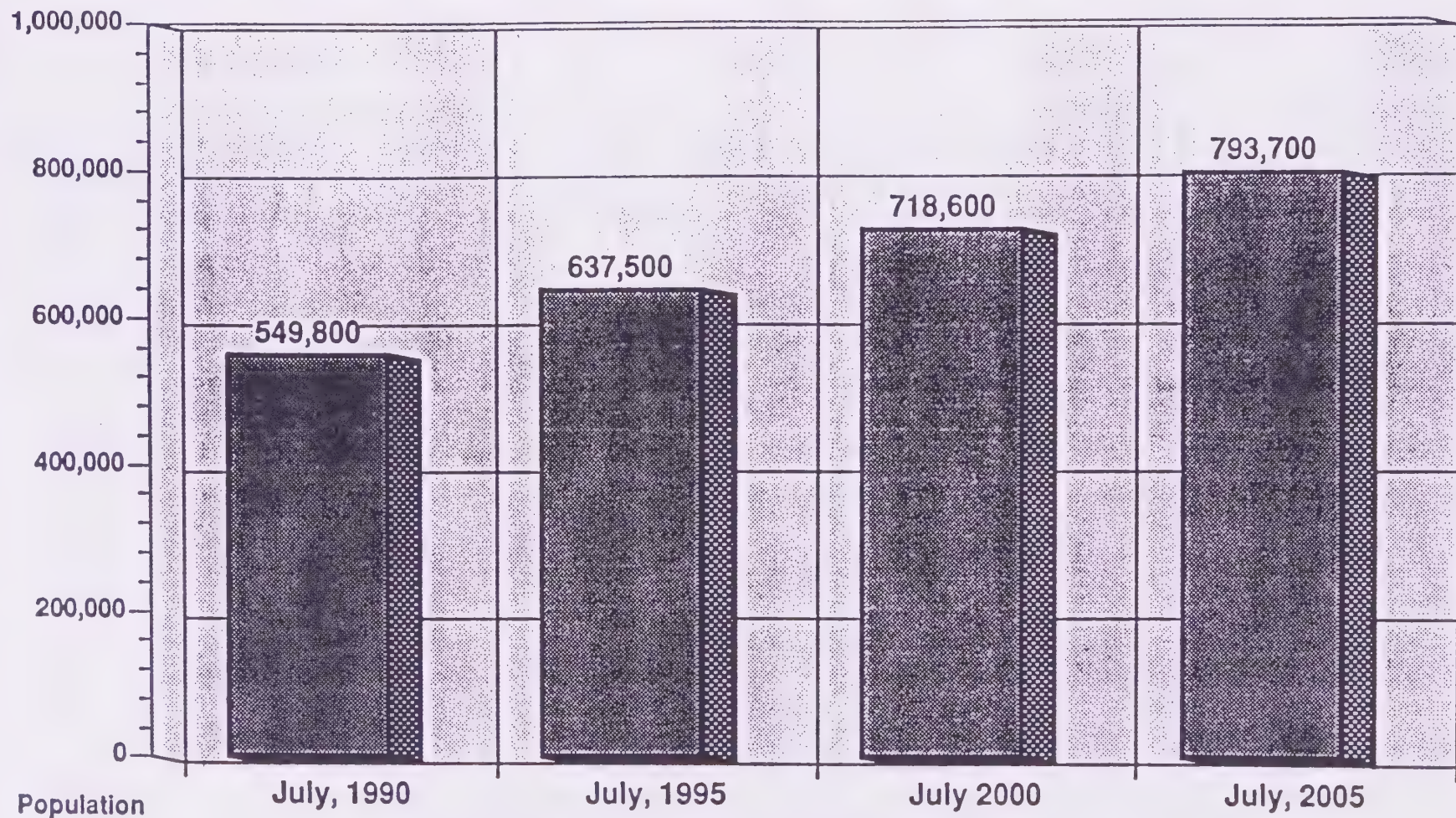
another level of regional government will not insure solutions to Californian's "growth management" problems. (See "Dust could bring valley funding cuts. EPA rules air particles hazardous").

- a) The purpose of State government must be to resolve conflict between local entities and combining overlapping single-purpose local and state agencies to align their mission and objectives into a cohesive guideline for "growth management. The application of arbitrary command and growth control tools, such as "Urban Limit Lines," is not acceptable to local agencies and communities.

IV. Conclusion

- A. First, State "growth management" policy must be consistent with maintaining a healthy overall state business environment. Without a sound economic climate that encourages job creation, business retention and expansion; tax revenues will decrease while population from natural birth and migration will continue to increase causing more social service demands without the ability to pay for them. The State could easily be faced with the problem of "no growth management".
- B. The state must conduct a self assessment of existing regulations and limit it's role in "growth management" to development of clear and cohesive minimum performance guidelines which can be enforced through cooperative incentives rather than command and control sanctions. In addition, the State must be committed to reforming conflicting regulatory activities, setting spending priorities and establishing tax policies that have a beneficial effect upon all local levels of government.
- C. Local governmental entities must be allowed to address the unique growth problems and craft solutions that will empower communities to solve their own problems and defining their own future.
- D. Finally, to encourage and ensure that local governments cooperatively address "regional" issues, the State should tie incentive monies for achievement of state "growth management" goals. This would result in a more "voluntary" cooperation between local governments.

Kern County's Population to Grow 44% in Next 15 Years.



Components of Change From 1990-2005

Births	196,560
Deaths	76,680
Natural Increase	119,880
Net Migration:	124,000

(Source: CA Dept of Finance - Demographic Research Unit)

SIERRA CLUB



KERN-KAWEAH CHAPTER

Printed on 100% Recycled Paper

P.O. Box 49
Tehachapi, Calif. 93581
July 24, 1991

STATEMENT: To the Governor's Interagency Council
on Growth Management

GIVEN BY: Georgette Theotig, Chapter Chair

I am speaking on behalf of the approximately 2,000 members of the Kern-Kaweah Chapter of the Sierra Club. We appreciate the opportunity to testify at this hearing.

Many of the ideas I am presenting today are taken from the Sierra Club California's "1991 Green State of the State Report" on solving California's growth problems.

We believe the time has come for all who are concerned with the future of California to realize that there must be a plan for orderly growth in our state. The growth of population and the complexities of life have saturated the ability of local agencies to formulate viable solutions. What is needed is a recognition that local communities can no longer remain an island. Each is inextricably bound to the other. The failure to develop new levels of political authority will have an adverse impact on the quality of life and the economic vitality of our communities. Many solutions must now require a regional approach to air and water quality, open space, transportation, development, and waste disposal. The Sierra Club proposes that California adopt 4 clear policies to form the basis for a comprehensive growth management program: 1) clean the air, 2) promote energy efficiency, 3) ensure affordable housing, and 4) protect valuable open space and farmlands.

Air quality is an area which requires a regional approach. Recently 8 counties in the San Joaquin Valley joined to form the San Joaquin Valley Unified Air Pollution Control District in an attempt to clean up the valley air. Unfortunately, the current structure allows these 8 counties to act independently. Air pollution knows no boundaries and state mandates must be in place forcing local governments to put aside their self-serving local interests and work to clean up the air.

The 4 above-mentioned policies must include the following elements:

✓ 1) firm urban growth boundaries for cities and counties to define the area of ultimate urbanization, 2) ✓ development restrictions on lands outside the boundaries, and 3) ✓ compact, transit-accessible development. The lands outside the urban growth boundaries form the region's "greenbelt", and encompass recreational open space, watersheds, farms and ranches, wetlands, wildlife habitat corridors, shorelines, forests, scenic vistas, and other natural resources. Here in Kern County, our prime agricultural lands are disappearing at a rapid rate. Also, leap-frog development is taking place in our remaining open-space with an out-dated General Plan and without a county planning commission. Recently, a large cattle ranch between Bakersfield and Tehachapi was approved by the Board of Supervisors as a residential community. Also, 2 sections of desert land between Mojave and Rosamond were recently re-zoned as a large residential community. Counties like Kern become dependent on ✓ short-term revenues created by new developments, but these new developments create more long-term problems.

The Kern River serves as a valuable greenbelt resource here in Kern County. From it's origins high in the Sierra to the arid lands near Bakersfield, the Kern River provides thousands of people with recreational opportunities, as well as providing valuable riparian habitat for our

native species, such as the kit fox. Unfortunately, there is a proposal to extend Interstate 40 through Bakersfield. The local stretch of this freeway is referred to as the Kern River Freeway and it is proposed to be placed in part of the Kern River Parkway, a unique greenbelt in Bakersfield. Many of the rivers and streams flowing out of the Sierra have the potential to serve as greenbelts and deserve strong protection from development.

Kern County has been the focus for several waste disposal site proposals. A wise regional approach to waste disposal might include incentives for reducing the generation of solid waste and for recycling of the waste materials, and on-site treatment to reduce the amount to be transported. Deep-well injection should not be permitted.

Any discussion of growth management must also include a suggestion to the population of California to limit family size. Our burgeoning population is stressing our state resources. No growth management plan can ultimately be successful if the population increases without limit.

In conclusion, 4 decades of intense and poorly-planned growth have created a profound set of problems that affects each of us. We must look beyond artificial boundaries and self-interest, and work toward a common set of goals and policies. The environment which supports all of us is at stake.

TO: ALL INTERESTED PARTIES

FROM: DENNIS FOX

IN RE: METROPOLITAN BAKERSFIELD RESOURCE CONSERVATION DISTRICT

Resource Conservation Districts bring to most minds a vague concept of organizations around since the Dust Bowl era that give grants to farmers to grow windbreaks or to schools for science education. True, these locally constituted organizations, under the aegis of the State Department of Conservation and the Federal Department of Agriculture, traditionally have had rural orientation regarding soil, water, wildlife and education concerns, but are broadly mandated and flexible to an area's changing needs.

Three local concerns applicable to an R.C.D.'s involvement are:

Air quality substandard status regarding dust (PM10).

Requirements for wildlife corridors between H.C.P. preserves.

Park deficiencies and a desire for a broad-based funding district.

An opportunity occurs to confront these problems utilizing a Resource Conservation District for the State, which wants Bakersfield in one and Rosedale's district, which is defunct, re-activated, is redoing the State Conservation Plan to include basic funding and granting other incentives to achieve complete coverage and consolidation. I propose re-activating the Rosedale district and enlarging it to include Bakersfield.

As a necessary adjunct, the District would contract with Lerdo Honor Farm's horticulture class and be its quality control, capital funding, and marketing arm to justify the class' State rehabilitation funds. District plant sales are eligible for matching funds.

The park districts would, of course, be involved and should be associated to have a permanent directorship. Federation for this representational

purpose facilitates evolution into a park maintenance plan.

City planning should be the other permanent member for water, parkway placement and Habitat Conservation Plan interests.

The remaining three members would be chosen from the broad-based associate directorship which would include such constituencies as agriculture, industry, landowners, education development, etc.

Further consideration, adaption and adoption of this proposal is warranted, for, though the District's activities can be as limited or broad as is desired, it always will be efficient for the ratio of costs to benefits.

Sincerely,

Dennis Fox

918 Blossom
Bakersfield, California 93306
(805) 366-4093



SAN JOAQUIN VALLEY PROJECT OFFICE

5401 Business Park S., Suite 206 Bakersfield, CA 93309

(805) 323-4557

STATEMENT OF THE NATURE CONSERVANCY
SAN JOAQUIN VALLEY FIELD OFFICE
RICK HEWETT, FIELD REPRESENTATIVE

TO

GROWTH MANAGEMENT COUNCIL
JULY 24, 1991

Members of the Growth Management Council, my name is Rick Hewett. I work here in Bakersfield for The Nature Conservancy as its San Joaquin Valley Field Representative. The Nature Conservancy is a nationwide, non-profit land conservation organization. Our goal is the protection of our state's finest remaining natural areas, especially those containing threatened and endangered species. Here in California, the Conservancy maintains a state office in San Francisco and several field offices throughout the state, including this one in Bakersfield. In the 30 years that the Conservancy has been active in California, it has permanently protected dozens of outstanding natural areas. Here alone in the San Joaquin Valley, we have established a series of 12 nature preserves, ranging in size from the 40-acre Pixley Vernal Pool Preserve to the 180,000-acre Carrizo Plain Natural Area.

Historically, the decline of our native wildlife and natural lands was essentially a biological issue. As lands were converted to a variety of other uses, the plants, animals and habitats were either destroyed or displaced. Populations dwindled, habitats shrunk, and the ecological balance shifted noticeably to the "loss" side.

But now, this decline has become much more than purely a biological issue. It has become a significant social, political and economic issue. More and more, government agencies at the state, county and local levels are recognizing the serious impacts to our natural heritage and the need to prevent complete loss. The resource agencies, under the authority of the federal and state Endangered Species Acts, have imposed regulations and policies that have made a very real difference in how we deal with this issue. Highly controversial, the Endangered Species Act has nonetheless resulted in the protection of significant tracts of habitat.

In Kern County, we have a number of threatened and endangered species. In fact, there are 5 animals and 5 plants listed by the federal and state agencies. This is probably the highest concentration of anywhere in the entire state. As a response to on-going economic growth within the habitats of these species, we have witnessed the formation of two habitat conservation planning groups. Better known as HCP's, these are designed to address the requirements of the Endangered Species Act by establishing a

regional planning effort that would allow continued development as long as a comprehensive conservation plan is developed and implemented. The Nature Conservancy has been an active member on both the local HCP's, serving as Vice Chairman on the Metro Bakersfield project.

Habitat conservation plans are conceptually a good approach to species protection. The project in the Coachella Valley near Palm Springs is a fine example of a successful program, in which a multitude of agencies, organizations, and individuals banded together to create a large preserve. The 14,000-acre Coachella Valley Preserve will stand forever as a win-win solution for that area's endangered species problems.

But other HCP's have some issues that need strengthening. One of those areas is the time-frame needed to develop the HCP itself. The Metro Bakersfield plan is fast approaching the 4-year mark, still without a final permit from the Fish & Wildlife Service. We need to shorten the time frame for these efforts, and streamline the development and review process. Federal and state resource agencies also need to develop tighter coordination on HCP projects. As other HCP efforts are just beginning to get underway in various locations across the state, we need to address these needs head-on.

The move to protect our state's natural heritage will take a comprehensive effort from all sectors of society. I believe that state, county and city governments will need to take larger and stronger roles in the this long-range effort for the protection of our natural heritage. Some of the issues that need to be looked at include long-range planning, increased funding sources, pro-active zoning ordinances, and enhanced biological inventory efforts.

I also believe that the private sector (including corporate, institutional, and non-profits, such as the Conservancy), will need to take on increased responsibility and initiative. Only by the concerted involvement of all parties will we be assured that our premier natural lands and wildlife will be protected.

As the San Joaquin Valley and California continue to grow, we surely will need to actively plan for the protection of our open space, wildlife and endangered species. It's going to be a big job requiring serious commitment from all parties. The Nature Conservancy envisions that we will play a significant and heightened role in this job as we move through the 90's into the next century.

That concludes my comments to you today. Thanks very much for giving me the time to speak. The Nature Conservancy's state office in San Francisco will also be submitting written comments to the Council.

Operating Engineers Local Union No. 3

OF THE
INTERNATIONAL UNION OF OPERATING ENGINEERS
AFFILIATED WITH THE AFL-CIO

Jurisdiction
Northern California, Northern Nevada,
Utah, Hawaii and Mid-Pacific Islands



Telephone 431-1568
474 Valencia Street
San Francisco, California 94103

July 19, 1991

Mr. Patrick Dorais
State of California
Office of Planning & Research
1400 Tenth St.,
Sacramento, CA 95814

Dear Mr. Dorais:

Thanks for including me on Panel 6 of the Governor's Growth Management hearings in Santa Rosa on July 15, 1991. Unfortunately, my father was hospitalized and I missed my opportunity to testify.

I did attend the morning session. Because of the diversity of testimony, I conclude that the only way we'll ever get anything done is if we have testimony from those people affected, but leave the decisions up to a regional body. Unfortunately, there are people who do not think we need to change and grow to accommodate an increasing population. These folks keep all projects mired in red tape and thus get their way even though they are often a minority.

We are one state. We cannot afford the selfishness of nimby-ism. I feel it is time our state create a Regional Governing Body on Growth Management that will listen to local testimony and then move forward with a plan that will best serve all of our diverse needs.

Sincerely,,

Rob L. Wise, District Representative
Operating Engineers Local Union No. 3
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Santa Rosa, CA 95405
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RLW/cms
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Congress of the United States
House of Representatives
Washington, DC 20515

August 1, 1991

The Honorable Pete Wilson
Office of the Governor
State Capitol
Sacramento, CA 95814

Dear Governor *Pete* Wilson:

I am writing regarding your efforts to study growth in California and develop a comprehensive plan for controlling growth and meeting future needs. I am pleased to see that you are holding public hearings, thus allowing the citizens of California to participate in this important process.

As a Congressman who represents several rapidly growing areas of California -- Kern County, the Antelope Valley, and San Luis Obispo County -- I believe there are four basic issues surrounding growth management which should be addressed as discussions continue.

First, the plan should include a comprehensive assessment of future facility needs created by the growing population. This assessment should include required public infrastructure, such as roads, schools and public buildings, as well as needed housing, recreational and commercial facilities.

Second, future state growth policies must be consistent with maintaining a healthy overall economy in California. One of the most difficult aspects of developing a successful growth policy will be providing gainful employment to an expanding population. A growth policy which ignores the needs of California businesses would be counterproductive to the goal of meeting the needs of future Californians. As you know, California cannot support its population, now or in the future, if its economy is weak.

Third, implementation of the growth policy should be the responsibility of local governments, with oversight by the state. It would be sensible to identify significant natural resources that should be protected, and then define appropriate land use patterns to meet these needs. Local entities then could implement plans that coincide with these land use patterns, yet meet their own particular community needs.

Governor Wilson
page two

Last, an equitable financing mechanism must be developed for funding new infrastructure. I have long been concerned about the continued reliance upon developer fees as a major funding source. Such fees continue to inflate the price of housing and shift the cost of projects which benefit the whole society onto a small sector of the society. More equitable methods of financing are available and should be explored.

Once again, I applaud you on your foresight and your desire to include the public in developing a growth policy and I appreciate your consideration of my concerns.

Best regards

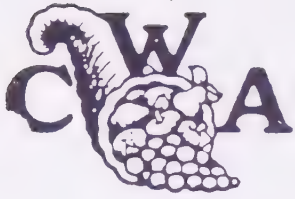
A handwritten signature in dark ink, appearing to read "Bill", written over the typed name.

WILLIAM M. THOMAS
Member of Congress

WMT/brw

cc: Patrick Dorais
Governor's Office of Planning and Research

Judy Salamancha
Castle & Cooke Development Corporation



CALIFORNIA WOMEN FOR AGRICULTURE

JANICE BRALY -- PRESIDENT

August 15, 1991

State of California
Governor's Office
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

RE: Public Hearing on Growth Management

Dear Council Members:

Many thanks for holding growth management public hearings throughout the state. It is my understanding that representatives of the farming community were in attendance and did provide testimony in some instances.

Growth is considered by some as progress. If so, California has indeed progressed. However, over 50% of California land is owned by some government entity leaving the remaining less than 50% for all Californians to live, work and farm. Therefore, we urge you to consider carefully how that land is best utilized. The role that agriculture plays in land use is vital to the economy of California and should be at the top of the list when your analysis of the growth management public hearings takes place.

The following is California Women for Agriculture's land use policy:

VIII. LAND USE

California Women for Agriculture believes that the farmer is involved in a business that requires the right to manage and control that business. However, we recognize the importance of agriculturally sensitive land use planning. Land use policies and laws should be fair, logical, and legally supportable; they should encourage consistent utilization of resources dependent on the suitability of the land. Because of the diverse opinions concerning land use, California Women for Agriculture proposes careful consideration of the following:

1. Participation of agriculturists in the planning needed to guide development of growing communities, with attention to the economic as well as the environmental implications.
2. Orderly, balanced utilization and conservation of land resources, taking into account the social and economic needs of the people of the area, and of the state, nation and world.

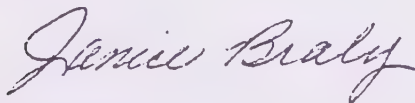
3. Local establishment of stable urban-rural boundaries to prevent encroachment of urban uses into economically productive farmland.
4. Maximum planning at the local level.
5. Local zoning that allows farmers to farm.
6. Utilization of all presently owned public lands before more such lands can be acquired.
7. Legislation minimizing foreign control of and investment in U.S. agricultural lands.
8. Protection of family-owned farms.
9. State guidelines for incentives to continue agricultural production.

I urge you to place agriculture in a top priority spot since it is the state's #1 industry and should not be ignored. If you eat, you are involved in agriculture.

Attached is well-researched information regarding this issue as prepared by our Greater Westside Chapter.

Thank you for giving this your serious consideration.

Sincerely,



Janice Braly

FAX 805-295-6723

CC: Senator Henry Mello, Chairman Ag Committee
Assemblyman Rusty Areias, Chairman Ag Committee

The importance of agriculture to the State of California is exemplified by the following facts:

1. Today California farmers are able to produce the best quality and safest food and fiber in the world, and at the lowest cost, not only because of the efficient use of land and water, but also because they must follow stringent rules, regulations, and guidelines.
2. California produces 50% of the nation's fruits, vegetables and nuts. Of this, 99% of the artichokes, dates, figs, kiwifruit, olives, pistachios, pomegranates, prunes, raisins, and walnuts that are produced for commercial sale are grown in California.
3. California's agriculture, along with industries directly related to California agriculture, contribute 10% to California's GNP, which translates into about 70 billion dollars. Of this, production agriculture alone contributes 17.6 billion dollars. One out of every six jobs is ag-related. California is at the top of the United States in farm production and Fresno County alone ranks higher in farm production than 25 other states' entire production.
4. California's population numbers may no longer be ag-related but California's economic numbers still are. Directly, or indirectly, the future of California's farming affects every California either at the dinner table or in the paycheck. For 1 in 6 Californians it affects both. California's policy makers should not be short-sighted, or let the fact that production agriculture represents only 2% of the population skew their decisions.

In short, the protection of ag land should be the highest priority in California's future growth management. Rampant growth in many of our counties is having a damaging affect on our land, air, and water resources. Without a better handle on the current growth onto prime farmland, the number one ranked ag state is headed for a slow death.

Tremendous growth in the housing market is turning many communities into nothing more than "bedroom communities." These high maintenance communities which have a tax base made up of housing rather than industry are finding their infrastructure needs are not being met. As this expansion continues, much of California's ag land is being taken out of production only to be covered with yet more homes, losing a low tax base, low maintenance industry to low tax base, high maintenance homes.

As the cities move into farming areas, direct conflict occurs between agriculturalists and urban dwellers. Conflicts are not only over water and air pollution, but also over agriculture's cultural practices done out of necessity to utilize favorable weather conditions or beat adverse weather:

- aerial spraying - low flying aircraft, noise, night and early morning hours, and types of chemicals.
- tilling of the soil - dust created.
- harvesting and all other cultural practices - night and early morning hours.

As mentioned above, there are numerous problems facing California today, but there are also alternatives and solutions, the most important of which is to grow within the means of our precious resources.

The water situation in California is reaching a critical point. This resource is being tremendously taxed, particularly now in a fifth consecutive year of drought. It truly does not make sense to continue to develop new areas. One acre of farmland uses almost the same amount of water as one acre of houses. Typically, water for urban use is used once and then discarded. Ag water is used for irrigation, then flows into streams or drains, is picked up to be reused downstream, and percolates deep into the ground - recharging the groundwater each step of the way, completing the hydrological cycle. As urbanization covers open land with asphalt and compacts soil for building pads, the hydrological cycle is disrupted in two ways. The water that is applied to soils doesn't have a chance for deep percolation and the amount of plant transpiration is decreased significantly. The hydrological cycle is an important key to groundwater recharge. Groundwater makes up for 60% of water used during droughts. This finite resource has to be recharged as much as possible and should never be looked at as an infinite supply.

Water is an expense to farmers either by buying surface water by the acre foot or by paying power costs for pumping groundwater. Farmers efficiently use water, proven by consistently better yields with the same quantity of water used. Consumers are directly benefited by farmers use of water. It might be stated that people drink 1/2 gallon per day, but they eat 4,533 gallons per day.

Air quality is another precious resource currently endangered in California. California has extremely stringent guidelines and standards for air pollution, yet those standards are often exceeded. Air pollution in the central San Joaquin Valley (Central Valley) alone has been responsible for tremendous production losses. Melons, beans, and grapes have losses calculated at 20% while alfalfa, cotton, citrus, and potatoes have losses of 9%-15%. As the air quality continues to degrade, the economic viability of production agricultural diminishes as does the health and quality of life for the Valley residents. The unique characteristics of the Central Valley air basin must be a major consideration in the planning process.

Ag land in California is a unique resource. The longevity of agriculture is directly related to the land of California. As stewards of the earth, California farmers have been maintaining and regenerating the earth, while feeding a hungry world. At the national level, 1 farmer feeds 114 persons - 92 in the United States and 22 overseas, and the United States consumers spend only 11% of their gross income on food. California agriculture's ability to produce an abundant, low cost food supply is attributed to:

1. California's fertile soils
2. a unique climate
3. a developed water system
4. a skilled work force
5. a transportation network that lends itself to intrastate and interstate deliveries, and easily accessed ports for sales in international markets.

These are just a few excellent reasons why production agriculture is tied to the land of California's unique agricultural areas. Production agriculture does not have the ability to relocate, compared to the 1 in 4 manufacturers planning to relocate outside of California.

California ag land should most definitely be treated differently than other open space! Instead of new development devouring "cheap ag land," we propose that the state of California preserve the Central Valley's agricultural land. The preservation might take on a form similar to that of the Williamson Act which gives farmers tax incentives, but also allows an "out" if one ever became necessary, which other preserves (or trusts) haven't allowed. The Williamson Act contracts have long protected many acres of ag land, yet the Act is being reviewed with every unbalanced budget that passes before California's state and county governments. We need tax incentives that include all areas of agriculture, yet are not challenged by fiscal shortfalls. A key to keeping production ag viable in California is keeping the tax to revenue ratio relative. The farmer cannot afford to pay the tax rate of lands valued at commercial development or residential use.

We suggest moratoriums on now building (until the short-term and long-term ramifications of the current population explosion can be assessed), as well as restrictions on the commercial and residential development on prime ag land, and the creation of incentives for redevelopment. Redevelopment of inner cities and abandoned industrial areas is attractive as the infrastructure is already in place, thereby eliminating new development costs and decreasing costs to the taxpayers. Another suggestion is for every (x) acres developed, then (y) acres must be redeveloped.

Farmers have been farming in California for well over a century and have served the state well, building a solid economy. Agriculture has helped shelter the state in good times and bad, the most recent being a mild recession. The same has been true of other ag-based economics across the entire United States. For a microscopic look at what could happen without ag, look at the east side of the Central Valley and all the ramifications of last year's freeze. The unemployment rate rose from 12.3% in February 1990 to 21.6% in February 1991 in Tulare County. Or you might prefer to examine any other country which has come to rely on other countries for its major food source. We certainly do not want to become dependent on other countries for our food as we have for our oil.

The precious natural resources - air, land, and water - that California production agriculture must have to exist, are diminishing rapidly as population growth runs rampant. The health of the ag economy is at stake. A sane, disciplined approach to growth and land utilization is imperative for the long term health of California, the Central Valley, and all Californians, as well.

SOURCES

Bank of America, "Economic and Business Outlook", July 1991

California Department of Food and Agriculture, "California Agriculture 1989 Statistics"

California Chamber of Commerce, "Alert", Vol. 17, Num. 19, 5-24-91

Employment Development Department

University of Davis, "California Agriculture", Vol. 45, Num. 3, May/June 1991

Water Education Foundation, "Western Water", Mar/Apr 1991



CALIFORNIA WOMEN FOR AGRICULTURE
GREATER WESTSIDE CHAPTER

August 12, 1991

RECEIVED

AUG 15 1991

State of California
Governor's Office
Office of Planning and Research
1400 Tenth Street
Sacramento, CA 95814

Governor's Office of Planning
and Research

RE: Public hearings on Growth Management

Dear Council Members,

Attached is the policy adopted by the Greater Westside Chapter of California Women for Agriculture. We respectfully submit it to the Governor's Council on Growth Management, for consideration in this series of public hearings.

Sincerely,

Mari C. Locke Martin
Greater Westside Chapter
Land Use Task Force Director
P.O. Box 549
Firebaugh, CA 93622

Stacie Hanson
Greater Westside Chapter
Legislative Task Force Director
Emergency Action Task Force Director
19767 North Hudson
Dos Palos, CA 93620

cc: Governor Pete Wilson
California Women for Agriculture, State Executive Board
Senator Henry Mello, Chairman Ag Committee
Assemblyman Rusty Areias, Chairman Ag Committee

California Women for Agriculture

Greater Westside Chapter

California is currently faced with incredible land use questions which must be addressed immediately. California Women for Agriculture recognizes that growth is an inevitable part of our lives, particularly in California, but we also recognize that we must manage this growth in relation to our finite resources.

California Women for Agriculture feels that California agriculture must be a top priority when the discussion of land use takes place. The State California Women for Agriculture's Land Use Policy states in part:

California Women for Agriculture recognizes the importance of agriculturally sensitive land use planning. Land use policies and law should be fair, logical, and legally supportable; they should encourage consistent utilization of resources dependent on the suitability of the land. California Women for Agriculture proposes careful consideration of the following:

1. Participation of agriculturalists in the planning needed to guide development of growing communities, with attention to the economic as well as the environmental implications.
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In short, the protection of ag land should be the highest priority in California's future growth management. Rampant growth in many of our counties is having a damaging affect on our land, air, and water resources. Without a better handle on the current growth onto prime farmland, the number one ranked ag state is headed for a slow death.

Tremendous growth in the housing market is turning many communities into nothing more than "bedroom communities". These high maintenance communities which have a tax base made up of housing rather than industry are finding their infrastructure needs are not being met. As this expansion continues, much of California's ag land is being taken out of production only to be covered with yet more homes, losing a low tax base, low maintenance industry to low tax base, high maintenance homes.

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Note: This policy has executive approval of the Greater Westside Chapter of California Women for Agriculture.

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